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AMERICAN PERSPECTIVES ON THE VAGARIES
OF SOVIET NEGOTIATING BEHAVIOR

by

Linda Ratsep

December 1987

Thesis Advisor

Kerry M. Kartchner

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Variations in Soviet negotiating behavior may yield important insights regarding Soviet arms control objectives. This thesis attempts, first, to produce a comprehensive picture of post World War II Soviet negotiating behavior prior to the Limited Test Ban Treaty negotiations. This consists of detailed analysis of specific Soviet

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negotiating techniques. Through studying the frequency of Soviet use of these techniques a comprehensive picture of what may be considered typical Soviet negotiating behavior may be derived. What may be considered significant variations in Soviet negotiating behavior may then be identified by applying/comparing post WWII typical behavior with usage in subsequent negotiating encounters. Specific arms control negotiations examined are those of the Limited Test Ban Treaty and the first set of Strategic Arms Limitation Talks (SALT I).

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American Perspectives on the Vagaries
of Soviet Negotiating Behavior

by

Linda Ratsep
Lieutenant, United States Naval Reserve
B.A., New England College, 1979

Submitted in partial fulfillment of the
requirements for the degree of

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from the

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ABSTRACT

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Variations in Soviet negotiating behavior may yield important insights regarding Soviet arms control objectives. This thesis attempts, first, to produce a comprehensive picture of post World War II Soviet negotiating behavior prior to the Limited Test Ban Treaty negotiations. This consists of detailed analysis of specific Soviet negotiating techniques. Through studying the frequency of Soviet use of these techniques a comprehensive picture of what may be considered typical Soviet negotiating behavior may be derived. What may be considered significant variations in Soviet negotiating behavior may then be identified by applying/comparing post WWII typical behavior with usage in subsequent negotiating encounters. Specific arms control negotiations examined are those of the Limited Test Ban Treaty and the first set of Strategic Arms Limitation Talks (SALT I).

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I. INTRODUCTION

The United States has been negotiating on arms control and disarmament with the Soviet Union since the close of the Russian revolution in 1918, and will probably continue to negotiate with the Soviets for many years to come. The primary objective of this thesis is to identify variations from the historically 'typical' image of Soviet negotiating behavior. This requires presentation of a view of 'typical' Soviet negotiating behavior with the goal in mind of contrasting this with evidence or episodes of 'atypical' Soviet bargaining style.

A successful negotiator must be able to persuade the other side (as well as his own allies and sometimes even neutrals) that he believes in his own superiority.¹

The Soviets are attempting to perfect this superiority. Arms control negotiations such as the SALT talks are useful to the Soviets, regardless of what may or may not be accomplished during those negotiations. They are used as a political tactic, by which the Soviets are able to divert Western attention away from the real threat: the Soviet Union's goals for promoting global communism. They tout the principle threat as that of a nuclear holocaust, and stress that this could occur any time the Soviets Union's interests are not taken into account.²

For the Soviets, arms control is useful only when there is a need to negotiate. This need is not motivated by the desire to obtain treaties designed to enhance stability or deterrence as understood by Western arms control theorists. Instead, Soviet negotiating behavior is driven by a requirement to influence or manipulate American military programs, gain access to technology, and so on.³

What is it that prompts the Soviets to negotiate? Part of the answer to that question lies in the following: first, the Soviets enter talks only when they feel that they are likely to gain something. Such an expectation is neither illogical nor

¹Herman Kahn, *Thinking About the Unthinkable in the 1980s*. (New York: Simon and Schuster, 1984), p. 95.

²Pipes, Richard, "Detente: Moscow's View," *Soviet Strategy in Europe*. Pipes, Richard, ed., New York: Crane, Russak, 1976.

³Brian D. Dailey, "Deception and Self-Deception in Arms Control: the ABM and Outer Space Treaties Reconsidered." Ph.D. dissertation, (University of Southern California, 1987), 216.

unrealistic; in fact, *all* negotiators approach the table with the idea of gaining something. There are, however, two problems with this idea. One problem occurs when a negotiator attempts to take without giving, an approach that happens to be typically Soviet. Ideally, negotiations should be mutually beneficial. From the Soviet standpoint, though, negotiating is a means to spread socialism and a time to make no concessions, all the while making the proceedings as difficult as possible for those involved. The other problem with seeing negotiations as a time to gain something for nothing is the question of what, specifically, there is to gain. At the heart of the problem is the fact that American and Soviet goals differ radically.

Simply identifying reasons why the Soviets wish to negotiate with the United States on arms control issues is not enough. A more complete analysis must include possible explanations for why the Soviets might initially propose negotiations, why they might actually come to an agreement through the negotiations process, and finally, why the Soviets might actually adhere to a negotiated agreement. Implications may be derived from the identified variations, especially in respect to the degree of Soviet interest in various arms control outcomes. This involves identifying instances of 'atypical' or 'cooperative' Soviet negotiating behavior, through the use of the information found in the half dozen graphs displayed periodically in this thesis to help give some clues to possible answers.⁴

Although the United States has occasionally been known to use a few of the same tactics, Soviet negotiating techniques have generally been characterized as diametrically opposed to ours. Soviet tactics are myriad and diverse, ranging from the psychological to the downright obvious. As a general rule, the Soviets should not be accused of subtlety; they can, however, often be called successful. When certain techniques fail to elicit the proper response, it appears the Soviets may learn from their mistakes and refrain from repeated usage of those techniques deemed unsuccessful.

⁴The greater proportion of information used to construct the graphs included in this thesis is derived from Frank John Dellermann, "Soviet Negotiating Techniques in Arms Control Negotiations with the United States". Ph.D. dissertation, (University of Southern California, 1979). The present author has added to the original data in the following instances: a) When research revealed that specific techniques were mentioned by authors not cited by Dellermann; and, b) When further research of the authors that were cited uncovered mention of specific techniques not identified by Dellermann. Attention will not be drawn to instances where additions have been made, as this would not appreciably enhance the main themes of this thesis.

In order to fulfill the primary objective of this thesis, a secondary objective, that of compiling examples in a survey of Soviet negotiating techniques identified in Western literature, is used. In studying the writings of Western authors one discovers that there are problems of a bookkeeping nature that must be addressed. In Chapter II, a simplified 'language' of techniques has been constructed, which will assist the reader in readily identifying techniques when specific examples are cited throughout the remainder of the thesis.

A review is made of the public evidence of the Limited Test Ban Treaty and SALT I negotiating records for evidence of Soviet negotiating behavior at variance with the model of 'typical' Soviet bargaining style. More specifically, Chapter III covers negotiations on the Limited Test Ban Treaty, which came about for different reasons for each of the parties involved. Regardless of the reasons, negotiations were undertaken and continued intermittently, and at varying levels, for eight years. During this time, the Soviets had opportunity to use their negotiating techniques, *every single one of them*. After all those years, the greatest success derived by the Soviets was the time it afforded them to catch up to and overtake United States nuclear forces and the American technology to which they gained access.

Chapter IV deals with the first set of Strategic Arms Limitation Talks. One unsettling circumstance that led to SALT I was the Soviet development of an Anti-Ballistic Missile (ABM) network designed to protect Moscow from a nuclear attack. America offered to negotiate, but it was not until we had started development of our own ABM system that the Soviets were willing to talk. This time, however, it seems that the Soviets had learned from their mistakes. General usage of old negotiating techniques decreased dramatically. Certain tactics had simply lost their prior effectiveness. Despite this phenomenon the Soviets managed to drag talks out long enough to, once again, negotiate a treaty that was closer to what they wanted than what we wanted.

Chapter V begins with a comparison of the Soviet negotiating techniques utilized during the Limited Test Ban Treaty and SALT I negotiations. Implications are derived for United States arms control policy from conclusions regarding variations in Soviet negotiating behavior. While evidence based on these two treaties is inconclusive, the comparison may be used to identify Soviet negotiating trends, from which conclusions are drawn concerning the objectives that drive the manner and methods of Soviet negotiating behavior.

II. SOVIET NEGOTIATING BEHAVIOR

This chapter concentrates on the styles and techniques the Soviets employ when negotiating with the United States, in particular those used in negotiating on nuclear arms control issues. The first section compares the American and Soviet approaches and the sources from which their styles originate. It also elaborates on specific techniques through the use of historical examples. Finally, this chapter examines the issue of atypical negotiating behavior.

In subsequent chapters applicable examples of these Soviet negotiating techniques are reviewed in the context of the Limited Test Ban Treaty (LTBT) and the SALT I agreements -- the ABM Treaty (Chapter III) and the Interim Agreement on strategic offensive arms (Chapter IV).

A. THE SOVIET VERSUS AMERICAN APPROACHES

Western adversaries across many negotiating tables, the Soviets are tough, stubborn negotiators. They are confrontational and manipulative. They revel in intimidation tactics and are unwilling to compromise. Westerners, therefore, find the Soviets to be extremely difficult, and unpleasant to deal with in negotiations. While Americans view any negotiation as a cooperative effort between two or more parties, firmly believing that through reasonable negotiation a compromise can be achieved which will be mutually beneficial to all participants. However, just as the socialist system of the Soviet Union and the Western democratic system are incompatible, so are their approaches to negotiation. Even before sitting down at the table, differences are apparent.

Fred Iklé, in his book *How Nations Negotiate*, gives his readers a concise list of negotiating rules which can be used as a good general outline of the American approach to negotiation.⁵ They are as follows:

1. Never kill a negotiator;
2. Avoid disputes about status;
3. Adhere to agreed agenda;
4. Honor partial agreements;

⁵Fred Charles Iklé, *How Nations Negotiate*. (New York: Harper and Row, 1964), pp.92-121.

5. Maintain flexibility;
6. Reciprocate concessions;
7. Return favors;
8. Refrain from flagrant lies;
9. Negotiate in 'good faith';
10. Avoid emotionalism and rudeness;
11. Expedite and rationalize the negotiation process;
12. Preserve the community spirit.⁶

The reader will recognize in later discussion of specific negotiating techniques that several Soviet techniques are in direct opposition to Iklé's twelve rules for negotiating.

The 'confrontational school'⁷ of negotiation is based on the belief that an abrasive, argumentative negotiating style designed to place the opposition on the defensive will yield greater gains for the more aggressive negotiator. True to this method of negotiating behavior, at the very root of the Soviet approach is the belief that negotiation is a 'zero sum game'. In other words, what they are unable to gain, we retain. In contrast, the West assumes a 'non-zero sum game', meaning, in short, that both parties can benefit, and not necessarily at the expense of the other.

Part of the trouble is due to Americans having been brought up within a democratic society that tends to base its values in the ethics of Christianity, ethics which include concepts such as truth, honor, and fairness in an absolute sense. It is a mistake for Americans to assume that they share similar morals and ethics with those whom they choose to sit down with at the negotiating table. To assume a fair deal is naive and gullible. Predictably, the Soviet Union not only seeks, and is able, to exploit Western naiveté, but considers exploitation of the United States' negotiating inadequacies to be their duty.

⁶Mr. Iklé's set of rules, however, can also be applied to the Soviets - when used in the negative. By exchanging the opposite meaning for the one which was intended, one can begin to grasp the Soviet Union's negotiating mentality (ex. 1. "Never kill a negotiator" to "Kill a negotiator"). For example, Iklé writes that in 1956 the Soviet Military Command invited the Hungarian Minister of Defense, General Maletar, and other delegates to "complete certain technical details of an agreement for the withdrawal of Soviet troops." The General was actually arrested, along with the other members of his delegation, and later killed. *Ibid.*, p. 93.

⁷Gerald R. Williams, "Blessed are the Peacemakers: A Lawyer Looks at Negotiation," *BYU Today*, 38, 5, October 1984, p. 30.

According to Richard Pipes, another part of the trouble is the emphasis, or lack thereof, each of our societies places on the importance of the law in terms of adhering to contracts and treaties.

The Western tradition derives in good part from a predominantly commercial background of arranging treaties to the advantage of both parties. In business dealings, it is inconceivable to have a contract benefitting entirely one side and giving nothing to the other; all commercial contracts presuppose gains for both parties. Hence, in all Western diplomatic negotiations, including those with the Soviets, attempts are made to anticipate the interests of the other party and often satisfy them in advance.⁸

One can readily agree with a statement, made by Colonel Moore of the United States Air Force, that the Soviets believe that negotiations "can, like war, be described as a continuation of policy by other means".⁹ Soviet sources corroborate the Colonel's conclusion:

Supported by a profound understanding of the objective regularities of the present epoch and guided by the principles of peaceful coexistence, socialist diplomacy has achieved important successes in strengthening the international position of the socialist states in the struggle against the aggressive plans and actions of imperialist powers in various parts of the world.¹⁰

After cutting through the extraneous rhetoric to the important portions of this Soviet statement, one can only conclude that the use of 'diplomacy', which negotiation is a form of, is an acclaimed means of implementing their proactive commitment to 'peaceful coexistence'.¹¹

⁸Richard Pipes, "Diplomacy and Culture: Negotiation Styles," in Richard F. Starr, ed., *Arms Control: Myth Versus Reality*. (Stanford: Hoover Institution Press, 1984), p. 154-155.

⁹Colonel William C. Moore, United States Air Force, "Some Reflections on Negotiations," (mimeographed), p.3.

¹⁰*Diplomaticheskii Slovar'*. [Diplomatic Dictionary]. Vol. 1, (Moscow: State Publishing House for Political Literature, 1960), located in Committee on Government Operations, United States Senate, *The Soviet Approach to Negotiation*, selected writings, (Washington, D.C.: U.S. Government Printing Office, 1969), p. 78.

¹¹The Soviet definition of 'peaceful coexistence' breaks down to this: Nuclear war between the superpowers should be avoided. It does not mean that the Soviets will no longer attempt to spread Socialism throughout the world, or to support revolutions in other countries, and it does not mean an end to the active competition between the U.S. and USSR. In a 1960 Declaration signed by eighty-one communist parties the concept of 'peaceful coexistence' was defined as follows: "Peaceful co-

In a recent lecture given to a class studying arms control at the Naval Postgraduate School (NPS), the Superintendent of the school, Rear Admiral Robert Austin, related a descriptive analogy of the differences between the negotiating styles of the Soviet Union and the United States. Admiral Austin pared down the differences to what he called "chess versus pacman".¹² In his analogy, he stressed that due to their closed society the Soviets (the chess players) are able to be controlled and deliberate, able to relate every negotiating move to their intentions within the broader international scene. Americans (the pacman players), he said, may be more apt to go through negotiations the same way that pacman is played. America appears to scramble and dash back and forth with no apparent concept of destination, myopically gobbling up dots in search of any agreement that might satisfy the desires of some of the many factions present in the open society of the United States.

According to Professor Kerry M. Kartchner of the NPS National Security Affairs, a major legitimate criticism of American arms control strategy is that we tend to formulate our negotiating strategy independent of our strategic policy.¹³ For example, until the mid 1980s, the United States remained deeply committed to the Anti-Ballistic Missile Treaty, which placed severe restrictions on the United States abilities to deploy defenses for its strategic forces, even though these forces were gradually becoming increasingly vulnerable to a Soviet surprise attack. Although official United States deterrence policy requires survivable nuclear forces, existing United States-Soviet arms control treaties prohibit or discourage most means of enhancing nuclear weapon survivability. This oversight has been due in part to a historical lack of consensus within the United States executive and legislative branches of government as to what our arms control objectives should be.

existence of countries with different social systems does not mean conciliation of the socialist and bourgeois ideologies. On the contrary, it means intensification of the struggle of the working class, of all the communist parties, for the triumph of socialist ideas. But ideological and political disputes must not be settled through war." Brian Crozier, *This War Called Peace*. (New York: Universe Books, 1985), p. 115. Further amplification on this topic may be obtained by studying Soviet sources.

¹²Lecture by Admiral Robert C. Austin, Seminar on Arms Control and National Security, Naval Postgraduate School (June 1, 1987).

¹³Lecture by Kerry M. Kartchner, Seminar in Arms Control and National Security, Naval Postgraduate School (May 20, 1987).

Two of the factors contributing to this lack of governmental unity on any given issue are differing public opinions and the opinions espoused by the press (not necessarily the opinions of anyone other than the press). Confusing and inconvenient as this may sometimes be, independent thought expressed through our freedom of speech is one of the founding tenets of the American way of life and should not be compromised. The American right to independent thought is in direct contrast with the Soviet enforcement of strict discipline, which ensures that their negotiation goals remain consistent with those of the Soviet government and of the communist party.

B. TECHNIQUES

In order to achieve their negotiating goals, goals which are reflective of their expansionist policy, the Soviets employ the use of specific techniques.¹⁴ Compilation of a list of standardized descriptions of these techniques can contribute to a more complete understanding of Soviet negotiating behavior. This section will elaborate on twenty-seven techniques drawn from a representative sampling of available Western sources. These sources constitute most major Western works in English on Soviet negotiating behavior. This thesis does not contain a comprehensive survey of all literature available on the subject, however, the sources studied cover a complete range of views, and represent a striking consensus of opinion on 'typical' Soviet negotiating style. With only a few exceptions, the historical examples used are primarily obtained from Western writings covering the time period which includes World War II until the negotiations which led to the Limited Test Ban Treaty.

For example, World War II presented the United States with many opportunities to sit down at the negotiating table with the Soviet Union. Some of these proceedings actually occurred during World War II itself, while other, post-war negotiating subjects related directly to the outcomes of the war. Among these negotiations were those on Military Assistance to the Soviet Union (1943-45), Lend-Lease (1942-45), Bretton Woods (1944), Refugees and Displaced Persons (1946), and atomic energy (1946-47).¹⁵ Western writings on these negotiations, and others, are used in this chapter as a basis for amplifying on Soviet negotiating behavior through the study of negotiating techniques.

¹⁴It is important to note that very few of these negotiating techniques have ever been used by the United States.

¹⁵Further information on these, and other World War II related negotiations, may be obtained in Raymond Dennett and Joseph E. Johnson, eds., *Negotiating with the Russians*. (World Peace Foundation, 1951)

Western authors have identified numerous techniques used by the Soviets in negotiating with the United States. More numerous than the techniques themselves, however, are the often long and convoluted descriptions of each technique. While a few of the techniques are referred to by most authors using the same phrasing, such as the 'agreement in principle' technique, most of them are not identified similarly. Without careful study, there are instances when a single technique, described by two different writers, might appear to be two separate techniques.

Many of the better known authors have put forth greatly simplified descriptions of certain techniques. Unfortunately, concise and apt explanations of a particular technique have not been picked up and used by later authors writing on the same subject. In order to simplify the language of Soviet negotiating techniques, a compilation of techniques¹⁶ has been used as a basis for a search of available sources for the most concise accounts of each.

Then, from those accounts excerpts have been extracted from which phrases, and sometimes single words, may be found that can instantly call to the reader's mind the entire concept behind each particular technique. In those instances where good descriptions were not readily accessible, an attempt has been made to select a word, or phrase, which may suffice to capture the essence of a technique. The techniques identified or discussed in the literature reviewed for this thesis includes the following, with short titles for convenience:

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

¹⁶All of these techniques used by the Soviet Union in negotiations with the United States have been written about by Western authors. A compilation of the first nineteen techniques cited in the works of eighteen Western authors who have written about Soviet negotiating is found in Dellermann, p. 47.

A study of the following descriptions of Soviet negotiating techniques will establish that many of these techniques may be combined with one or more of the other techniques. In some instances the Soviet use of one technique must be preceded by the successful utilization of another technique, e.g., the waiving gambit (19) cannot be used unless a successful agreement in principle (10) has been reached.

1. RUDENESS

The first of the Soviet negotiating techniques to be discussed is one which has been used by Russians even prior to the birth of the Soviet state -- rudeness. This long standing technique has been mentioned by nearly all authors whose writings cover the past several decades of negotiations with the Soviets. The term *rudeness* does not require explanation.

The tactic of rudeness can backfire. One instance is described by Dean Acheson, writing about the sixth regular session of the United Nations General Assembly (otherwise known as the "disarmament assembly"),¹⁷ which opened in Paris on November 8, 1951.

The [French President] Auriol and [Prime Minister] Churchill speeches heightened the sense of crisis in which to launch a serious proposal to limit and control the arms race. Ours captured world attention as well as that of the General Assembly. That afternoon Vishinsky made a mistake of major proportions. From the rostrum he told the General Assembly (and the world) in a diatribe of an hour and three-quarters that "I could hardly sleep all night last night having read the speech [text of President Truman's "fireside chat" radio broadcast on disarmament of the night before]. I could not sleep because I kept laughing." The sheer bad taste of this boorish remark shocked both Assembly and press. Speaker after speaker rose to rebuke Vishinsky and to welcome the proposal. We wisely decided to leave that expression of outrage to others.¹⁸

2. PROPAGANDA

Like rudeness, using the negotiation process for propaganda purposes has been a fundamental element of Soviet negotiating behavior since the first American negotiating encounters with them. Through the use of propaganda the Soviets can promote tension in the United States allies in order to bring pressure to bear for American concessions.

¹⁷Dean G. Acheson, *Present at the Creation, My Years in the State Department*. (New York: W.W. Norton & Company Inc., 1969), p. 578.

¹⁸*Ibid.*, p. 580.

The use of propaganda, for publicity and prestige, is associated with the Soviet Union more than with any other nation. They are highly skilled at using America's freedom of speech against them, consistently attempting to manipulate the Western press in order to make superficial appeals to the United States public. According to a Soviet source:

unmasking of the aggressive plans and actions of imperialists is one of the important methods of socialist diplomacy, assisting it to mobilize democratic public opinion and popular masses throughout the entire world against the aggressive policy of imperialist governments.¹⁹

Through the use of propaganda within the context of negotiations, the Soviets have sought to influence Western public opinion. The intentions of the Soviets in attending the Brest-Litovsk peace conference during the winter of 1917-1918 may be used as an example. Leon Trotsky, then head of the Peoples Commissariat of Foreign Affairs, wrote that the Soviets:

peace negotiations in the hope of arousing the workmen's parties of Germany and Austria-Hungary as well as those of the Entente countries. For this reason we were obliged to delay as long as possible to give the European workmen time to understand the main fact of the Soviet revolution itself and particularly its peace policy.²⁰

In his evaluation of bargaining behavior at Brest-Litovsk, Joseph G. Whelan clarifies Soviet intentions.

Thus, the Bolshevik delegation rejected the traditional behavior of negotiations. They negotiated as revolutionaries, directing their speeches not to their negotiating adversaries across the table but to the revolutionary working classes across their borders to Central and Western Europe.²¹

3. ADVERSARIAL ATTITUDE

Today, the maintenance of an adversarial attitude by the Soviet Union toward the United States might appear to be a foregone conclusion. During, and directly after, World War II, however, this attitude was not automatically expected, as the United States did not yet realize that the Soviets would remain America's ally only as

¹⁹*Diplomaticheskii Slovar'*, p. 80-81.

²⁰Joseph G. Whelan, *Soviet Diplomacy and Negotiating Behavior, The Emerging New Context for U.S. Diplomacy*. (Boulder: Westview Press, 1983), p. 49.

²¹*Ibid.*

long as it suited their purposes. Frederick Osborn, in his writings concerning the early (1946-1947) negotiations with the Soviets on atomic energy controls wrote that:

The Soviet delegate talked for times as long as any other delegate; the Soviet delegate, and only the Soviet delegate, constantly attacked the motives of the other delegates or their countries; when the Soviet delegate was chairman he interfered with the discussion far more than did any other chairman, and when he took part in the argument, did not dissociate his role as chairman from his role as delegate.²²

In an analysis of this behavior Osborn continues:

This behavior may have resulted from ignorance; it may have been the result of a very real and deep seated suspicion of his foreign "adversaries" (the Soviet delegates always acted like men who were being conspired against); his intransigence may have been the result of his own fears and sense of inferiority; or, it may have been a studied behavior taught him in the communist schools of diplomats. But whatever it is that makes him tick, his behavior is not of a sort to win friends or give the impression that he is taking a serious part in a negotiation.²³

4. STUBBORNESS

Stubbornness is not a trait unique to the Russians.²⁴ However, the Soviet use of stubbornness as a negotiating technique is unparalleled. Among those who have mentioned Soviet negotiating stubbornness is Sidney S. Alderman, who was Assistant to Mr. Justice Robert H. Jackson while Mr. Jackson was the United States Representative and Chief of Counsel in the Nuremberg Trial of Major European Axis War Criminals. Alderman's war crimes negotiating overview contains the following observation:

[The Soviets] were characteristically stubborn on any matter on which they took a definite position or on which apparently, they were under instructions from Moscow....They could sit tight on a matter for days and weeks, remaining totally impervious to the arguments of others.²⁵

²²Osborn concluded that "at the end of the three years all of us came to believe that we had not been negotiating, except among ourselves." in Frederick Osborn, "Negotiating on Atomic Energy, 1947," in Dennett and Johnson, p. 233-235.

²³*Ibid.*

²⁴Estonia, presently an unwilling constituent republic of the Soviet Union, is also a nation whose people are well noted for displays of stubbornness. It is this author's personal observation that this trait continues to be prevalent in the offspring of those who fled Estonia in order to retain freedom by joining the Western world.

In an in-depth discussion of Soviet negotiating techniques, Philip E. Mosely also discusses Soviet stubbornness and possible explanations for the frequency of displays of this behavior by their negotiators:

During the course of negotiation it is often clear that the Soviet negotiators are under compulsion to try for a certain number of times to secure each Soviet point, no matter how minor. After trying up to a certain point and finding that the demand cannot be put through the Soviet representative has often given in, only to turn to the next item in dispute, over which a similarly prolonged period of deadlock ensues. What is not clear, however, is whether the number or duration of these tries has been prescribed in advance by instruction or whether it is left to the judgement of the individual Soviet negotiator to decide when he has built up a sufficiently impressive and protective record of having *beat his head against a stone wall*. [emphasis added]²⁶

5. LIES

Most Western authors agree that the fifth technique is: be devious. 'Devious' is a civilized word which encompasses cleverness and implies a certain amount of grudging respect. A shorter word is more apt. Consider this example:

An American youngster is tasked with walking the family dog daily. When the father comes home from work he asks, "Johnny, did you walk Spot today?". The boy answers: "Yes, Dad, Spot got his walk." Actually, Johnny let Spot run in the back yard while he was inside watching a television show. When the father discovers the truth he does not correct the child for being devious. He punishes Johnny for lying.

In some cultures it is not the actual lie, but being caught in a lie, which is dishonorable. To be devious is respected. But, not in America! Americans are brought up understanding that 'the truth, the whole truth, and nothing but the truth' is expected. Anything less than the truth is unacceptable, any variance of the truth stands as a lie. Devious is a word which the Soviets would prefer that the West use for the technique.²⁷ The American word is 'lie'.

²⁵Sidney S. Alderman, "Negotiating the Nuremberg Trial Agreements, 1945," in Dennett and Johnson, p. 53.

²⁶Philip E. Mosely, "Some Techniques of Negotiation," in Dennett and Johnson, p. 285.

²⁷This may also be a good example of 'semantic infiltration', which consists of Soviet attempts to get Americans to use their phraseology in the discussion of various conflicting issues during negotiations, so Soviet definitions of the issues will prevail. A good example of this is the previously mentioned Soviet doctrine of 'peaceful coexistence'. When used by the Western press as a Soviet goal, this term can be

An example of outright lying on the part of the Soviets is recounted by John R. Deane in his writings on negotiating military assistance to the Soviets in the early 1940's. Deane's experience was with Stalin himself:

When presenting us with his bill of goods, Stalin agreed to almost every proposal we had made. We could have air bases; we could count on the same priority as to use of transportation and other facilities as was given to the build-up of the Red Army; we could have Petrokavlovsk as a naval base; we could send small parties to survey our prospective air bases; and most important of all, we could proceed at once with joint Soviet-American detailed planning. Looking back, it is difficult to see how Stalin kept a straight face because the end result of the negotiations was that the Russians got their supplies and the United States got nothing but a belated, last minute, undesirable attack against the Japanese.²⁸

Frederick Osborn was the United States Deputy Representative on the United Nations Atomic Energy Commission from 1947 through 1950. He was previously cited in this thesis during a discussion of the Soviet adversarial negotiating attitude. Osborn recounted that:

Throughout these three years of negotiations the Soviet delegates repeated over and over again a few quite simple statements: "The United States refuses to agree to the prohibition of the atomic weapon"; "The United States proposal for control is an attempt to continue the monopoly of atomic weapons in the hands of the United States"; "The other nations have been coerced into accepting the United States plan"; "The Soviet Union has agreed to accept international control and inspection." It was very obvious to anyone who listened to the debate that none of these statements was true.²⁹

The Soviets do not appear to be perturbed by exposure of their blatant falsehoods. Outright lying gives them the opportunity to gain important propaganda objectives. Osborn continued the above discussion by noting that:

mistaken by the general public to mean that the Soviets are interested in promoting the American concept of peace. Through 'semantic infiltration' the Soviets can link policy goals with popular global aspirations, while simultaneously denouncing the policies of the Western bloc, and the United States in particular, as aggressive. Further information on this topic may be obtained in Fred Charles Iklé, "American Shortcomings in Negotiating with Communist Powers," (Washington D.C.: U.S. Government Printing Office, 1970), p. 6-8. 'Semantic infiltration' may be a separate negotiating technique in its' own right, but is not addressed as such in this thesis.

²⁸John R. Deane, "Negotiating on Military Assistance, 1943-1945," in Dennett and Johnson, p. 25.

²⁹Osborn, p. 233.

These statements of the Soviet delegates were proved, and obvious, falsehoods. But their constant reiteration had a certain effect. The delegates of the other nations did not believe them. But after hearing them repeated in almost every speech by the Russians or their satellites over a period of months and years, the other delegates stopped refuting them. It was hopeless, it only prolonged the debate, and gave the Soviet delegates renewed opportunities to repeat the falsehood. But they still got headlines in the American and other newspapers, and a considerable section of the American intelligentsia believed them.³⁰

6. DIVIDE THE OPPOSITION

The Soviets use negotiation as an instrument of policy that, in addition to dividing United States public opinion, can promote discord and disunity among the Western Allies. As Dean Acheson put it, in negotiating the Soviet purpose may be "to separate allies, to undermine governments with their people, to win over uncommitted people's"³¹ or "to bring about a sense of relaxation, goodwill and security"³² before mounting an offensive elsewhere. Dividing the opposition includes separating the United States from its Western allies.

The Soviet representative was quite evidently under specific instructions both as to what he was to say and his conduct. He was at all times to question the motives of the others; *he was to try to split the other nations apart from each other*, but never to conciliate the smaller nations, to whom he was always to be arrogant and truculent; he was never, under any circumstances, to concede a point except on specific instructions from the Kremlin, and then only in the exact language given him; and, finally, he was to talk as much as all the others put together, to delay, to confuse, and never to admit his true intent or to tell the truth. The representative of the satellite was under his orders, and was to repeat the same thing in much the same words but at somewhat less length, and with new variations of bitterness and accusation. [emphasis added]³³

7. NO CONCESSIONS

Americans tend to adopt a short term view and seek rapid results from the negotiating proceedings. In so doing, the United States has bound itself with unilateral actions while the Soviets, who view concessions as signs of weakness and lack of resolve, feel absolutely no obligation to take reciprocal actions. Whelan notes that "by

³⁰*Ibid.*, p. 234.

³¹Dean Acheson, *Sketches of Men I Have Known*, (New York: Harper and Brothers, 1959, 1961),

³²Dean Acheson, "On Dealing with Russia: An Inside View," *The New York Times Magazine*, April 12, 1959.

³³Osborn, p. 234-235.

using an elusive and totally passive...technique of rejecting proffered proposals without making counterproposals the Soviets can place the adversary in the position of negotiating with himself".³⁴

In 1944, Raymond F. Mikesell was a member of the technical staff at the Bretton Woods Monetary and Financial Conference. In an analysis of overall Soviet negotiating behavior at the conference Mikesell recalled that:

The Russians refrained from extensive debate and counter-argumentation. They stated their proposal or objection to someone else's proposal, presented a few simple reasons, and then countered every contrary argument by a simple restatement of their original position. It was evident that they counted not on logic and persuasion for winning their point but upon sheer doggedness and the fact that they knew that the United States delegation would make every effort to satisfy them because of the political importance of Soviet membership. By *not compromising they believed they could wring greater concessions* towards their position.³⁵ [emphasis added]

8. PUPPET NEGOTIATORS

The Soviet negotiators themselves have been called "mechanical mouthpiece[s] for views and demands formulated centrally in Moscow".³⁶ The incredible staying power of the actual negotiator at the table is a direct reflection of the Soviet government's patient approach to gaining negotiation results. For his American counterpart the ability to stay at the negotiating table is determined by our government, frequently in response to the demands of an impatient American Congress.

To Westerners the Soviet negotiators appear cautious and inflexible. Their mulish attitude can be attributed to the absolute control the Soviet Union has over its negotiators, which allows them to make no statements that have not been previously approved by the state. Western authors have noted that Soviet negotiators also tend to be infuriatingly repetitious, restating positions over and over and over while they are stalling for time awaiting further instructions from Moscow. John N. Hazard, in writing on the Lend-Lease negotiations of 1942-1945, noted that the:

Americans felt able to make their own decisions...without referring the question to higher authority. The Soviet citizens were functioning under an order from a superior, and any deviation whatever required a conference with that superior,

³⁴Whelan, p. 81.

³⁵Raymond F. Mikesell, "Negotiating at Bretton Woods, 1944," in Dennett and Johnson, pp. 104-105.

³⁶Mosely, p. 272.

who might or might not have to seek authority from a higher level before the proposed plan of action could be accepted....The conference was...only a means of imparting to the Soviet negotiator some information to be reported by him to his superior. Decisions had to be saved for another day.³⁷

Hence, Soviet negotiators may be viewed as "puppets" of the Soviet government, as they are not given much, if any, latitude to make actual decisions within the course of negotiations. Mosely emphasized that the Soviet negotiator was:

Not free to express concordance with any part of a proposal on which he has not received instructions from Moscow. Even the "program statements" of Soviet negotiators must be reviewed or written in Moscow before they can be delivered, and therefore Soviet statements at conferences often seem to have little relation to the immediately preceding statements of other delegations.³⁸

9. ALOOFNESS

Hedrick Smith, in his classic bestseller *The Russians*, discusses the prevalent Russian attitude toward forming close personal relationships within the context of being brought up in their authoritarian environment:

They conform to their surroundings, playing the roles that are expected of them. With a kind of deliberate schizophrenia, they divide their existence into their public lives and their private lives, and distinguish between "official" relationships and personal relationships....They adopt two very different codes of behavior for their two lives -- in one, they are taciturn, hypocritical, careful, cagey, passive; in the other, they are voluble, honest, direct, open, passionate.³⁹

This honesty and openness is reserved for only a select few persons during the average Russian's lifetime:

For safety's sake, Russians hold each other at bay. "We don't want personal relationships with that many other people," one man said bluntly. They commit to only a few, but cherish those.⁴⁰

³⁷John N. Hazard, "Negotiating Under Lend-Lease, 1942-1945," in Dennett and Johnson, p. 234-235.

³⁸Mosely, p. 299.

³⁹Hedrick Smith, *The Russians*. Revised ed. (New York: Ballantine Books, 1976), p. 139-140.

⁴⁰*Ibid.*, p. 147.

Within this context, the West cannot condemn the Soviet negotiator for not forming close ties with his Western counterpart. The United States must realize that Soviet aloofness, more than simply a negotiating technique, is an integral part of their basic personal value system. Some of the Western writers who were actual participants in negotiations with the Soviets, however, did not feel that they personally encountered this obstacle of aloofness. Among those writers was Sidney S. Alderman, who was present at the 1945 negotiations concerning war crimes prosecutions. He wrote that they: "formed *very close personal attachments* for each of them. [But] not one of us has heard a word, even by indirection, from any of them since they returned behind the "Iron Curtain."⁴¹ (emphasis added)

He and other Western delegates obviously felt that their Soviet counterparts were not unapproachable during the negotiations themselves, but "very close personal attachments" ceased to exist afterwards. This discrepancy indicates, possibly, that those relationships were not as close as the Western negotiators believed.

10. AGREEMENT IN PRINCIPLE

Another ploy the Soviets have frequently used, usually at the start of the negotiations process, is to make an appeal for an agreement in principle prior to any detailed discussions. When the United States has fallen for making an agreement in principle, the Soviets have then obdurately refused to negotiate amplifying details, maintaining that an agreement has already been concluded. The Soviets have successfully used this technique over and over.

Mosely noted that during the World War II timeframe the Soviets were particularly successful with the agreement in principle technique.

One of the main pitfalls in wartime Anglo-American negotiations with the Soviet Union was the tendency to rely upon reaching an "agreement in principle", without spelling out in sufficient detail all the steps of its execution. After long and strenuous debates, studded with charges, accusations and suspicions, it was undoubtedly a great relief to reach a somewhat generally worded agreement and to go home....In this situation the Western powers sometimes gained the "principle" of their hopes, only to find that "in practice" the Soviet government continued to pursue its original aims.⁴²

⁴¹Alderman, p. 53.

⁴²Mosely, p. 289.

⁴³In the fall of 1987 the Soviets agreed 'in principle' to the United States' proposal for the elimination of all U.S. and Soviet intermediate-range forces (INF),

The agreement in principle technique, still very much in use today,⁴³ is frequently mentioned by Western writers. In addition to supplying us with one of the aforementioned examples of Soviet lying, Deane provides us with a specific, early example of the successful use of the agreement in principle technique.

Molotov informed Secretary Hull that my proposals were approved "in principle" and that details could be worked out between Soviet representatives and me after the conclusion of the conference. Of course I thought I had achieved a tremendous victory to win such concessions after only a few days in the Soviet Union. My elation was short-lived because Molotov refused to allow my proposals, or the action taken on them, to become a part of the minutes.⁴⁴

As Arthur H. Dean has so succinctly described the "agreement in principle" technique:

They hope for an agreement of such vagueness that they will be able to interpret it in their own way and act to their own advantage while professing to observe the agreement.⁴⁵

11. UNREASONABLE DEMANDS

While use of the agreement in principle technique has been largely effective, the use of unreasonable demands has not been. Dean Acheson had occasion to note the attempted use of this technique by the Soviets on three separate occasions.

The first occasion occurred in 1952 in conjunction with Soviet attempts to counter Western moves aimed at ending the Berlin occupation. In 1955 they tried again, this time in connection with the proposal for West German membership in NATO. A third attempt, which occurred in 1963 during the Limited Test Ban negotiations, will be discussed further in the next chapter of this thesis. In writing of these three separate episodes of the Soviet use of the unreasonable demands technique, Acheson noted that:

On all of these occasions the same clumsy diplomacy resulted: an offer to abandon a long and bitterly held Soviet position was made on condition of allied abandonment of its proposed innovations. When this was firmly refused, the Soviet Union abandoned its own long-held position in the hope of dividing the allies or seducing the Germans....What one may learn from these experiences is that the Soviet authorities are not moved to agreement by negotiation -- that is, by a series of mutual concessions calculated to move parties desiring agreement closer to an acceptable one. Theirs is a more primitive form of political method.

prior to signing an INF agreement.

⁴⁴Deane, p. 6.

⁴⁵Arthur Hobson Dean, *Test Ban and Disarmament: the Path of Negotiation*. (New York: Harper and Row, Publishers, 1966), p. 46.

They cling stubbornly to a position, hoping to force an opponent to accept it. When and if action by the opponent demonstrates the Soviet position to be untenable, they hastily abandon it -- after asking and having been refused an unwarranted price -- and hastily take up a new position, which may or may not represent a move toward greater mutual stability.⁴⁶

The use of unreasonable demands by the Soviets may also include the concept of linkage.⁴⁷ Although linkage as an unreasonable demand has been largely unsuccessful for the Soviets, they attempt it frequently. Linkage consists of trying to maneuver so as to make Soviet signature of an agreement conditional upon some other topic (often General and Complete Disarmament) wholly unrelated to the agreement. The Soviet goal in using linkage may actually be that of gaining propaganda opportunities -- rather than expectation that the unreasonable demand will be accepted.

12. TACTIC OF THE AGENDA

Use of the tactic of the agenda usually occurs prior to commencement of negotiations, and includes (sometimes successful) attempts to stall actual talks by arguing over agenda topics, agenda order and location of proposed negotiations. At times this technique has even included arguments over seating configurations and table shape.

In addition to elaborating on the previously mentioned Soviet use of unreasonable demands, Dean Acheson reports on a curious occasion of Soviet use of the tactic of the agenda.

The Russians in the past had attached importance amounting almost to mystique to the agenda, insisting that the council could not proceed from one item to another without reaching agreement on the item under discussion, a procedure that was eminently adaptable to blackmail, and distorting what had seemed to be merely clumsy English translation of agenda items into admissions and concessions. So great was the importance attached to the formulation of the agenda by Gromyko, Vishinsky's deputy, in preliminary conferences with Jessup and Bohlen in the...Palais Rose for a proposed session of the council [a four-power conference on Germany] in 1951 that after fifteen weeks no agenda was agreed upon and no council was held.⁴⁸

⁴⁶Acheson, *Present at the Creation*, pp. 274-275.

⁴⁷The possibility that linkage should be addressed as a separate technique is recognized but is not treated as such in this thesis.

⁴⁸Acheson, p. 296.

Taken at face value this would appear to have been a successful use of the tactic of the agenda. There was no four-power conference held, but:

In the eyes of the world it left Gromyko an unreasonable bumpkin who had nothing to offer, wanted no meeting, and sought only to stave off all allied action until the Kremlin could think of some new way of delaying European defense. To prove the point the deputies offered a conference of foreign ministers without an agenda, which Gromyko also rejected....The meeting remains a puzzling example of maladroitness Soviet diplomacy.⁴⁹

13. WALK OUT THREAT

Here is another technique used by both the Soviet Union and the United States. One form of this technique consists of threatening to walk out of talks if demands are not met. A second form consists of an actual walk out. The walk out technique can backfire, though for the problem lies in the danger that world public opinion (through the media) may then condemn the nation that walks out, or even the nation that threatens to.

There is also a third form of this technique, which consists of making negotiations so difficult for the opponent that one forces the opposition into making a walk out threat, or into an actual walk out.

In the following example Dean Acheson relates a course of events that occurred during discussions in 1951 concerning Korea.⁵⁰ This is a particularly revealing account, as it provides a glimpse of three uses of the technique: consideration of an actual walk out and the consequent decision to attempt to force the opponent to walk out by the United States, and finally, an actual walk out by the Soviet Union.

Our negotiators, understandably frustrated by the endless and circuitous path they trod, urged that we give the Communists a limited time to choose between alternatives, and if they did not, that we break off negotiations. But we in Washington felt that being ahead so far we must put the onus for a break squarely on the other side. On August 20 [1951] brief hope dawned when the Communists seemed willing to consider the "line of contact" on the crucial date rather than "the general area of the battle line" -- our phrase -- as the armistice demarcation line. But before the significance of this phrase could be explored, the other side broke off negotiations, charging that an American plane had bombed and strafed Kaesong.⁵¹

⁴⁹*Ibid.*, p. 555.

⁵⁰The negotiations involved the United States and both Soviet and Chinese Communists and concerned the establishment of the 38th parallel as a line of demarcation and the withdrawal of all foreign troops from Korean soil.

14. REVERSAL

In keeping with what Americans feel to be reasonable is a belief in continuity of position. (When the United States does change a position, the change, more often than not, is a softening or a concession.) The Soviets, on the other hand, have no similar reservations about reversing a prior position without explanation. Reversal entails making a proposal, or concession, and later on retracting it. In the case of the Soviets this is most often accomplished without any explanation of exactly *why* a specific proposal or concession has been withdrawn. Alderman vividly recalls this kind of behavior during the war crimes negotiations.

They would agree to a matter one day and repudiate the agreement the next, evidently having communicated with Moscow in the meantime, without any appearance of embarrassment at the inconsistency and with the blindest suavity of manner.⁵²

15. TREASURING OF GRIEVANCES

Soviet negotiators accuse Americans of negotiating in bad faith. History, however, shows that Americans stand by their word, at times to the point of unbelievably blind adherence, while the Soviet Union has frequently taken actions in direct violation of negotiated agreements. The Soviets appear unconcerned when confronted with evidence of their bad faith, which may lead the West to the conclusion that they *never had any intention* of honoring the agreement which they had signed.

In the following quotation Mosely discusses this treasuring of grievances, after briefly mentioning a few of the previously covered techniques.

By far the most frequent situation is one in which the Soviet negotiators are bound by detailed instructions rigidly pressed. Each point at issue, large or small, then becomes a test of will and nerves. Instead of striving to reduce the number of points of friction and to isolate and diminish the major conflicts of interest, the Soviet negotiator often appears to his exasperated "Western" colleague to take pride in finding the maximum number of disputes and in dwelling on each of them to the full. Even during the wartime period of relative cooperation it was noticeable that each decision to convene a three power conference was followed by the piling up of *disputes and grievances*, as well as by the rapid fabrication of Soviet accomplished facts.⁵³ [emphasis added]

⁵¹Acheson, p. 537.

⁵²Alderman, p. 53.

⁵³Mosely, p. 281.

E.F. Penrose has written about the 1946 negotiations pertaining to refugees and displaced persons. On the treasuring of grievances he elaborates:

The [Soviet] speech contained stale accusations against the British and American military authorities which had been made much earlier, and had been investigated thoroughly and proved to be unfounded in some cases and based on magnification of small incidents in others.⁵⁴

16. CONCESSION TO ENTER TALKS

Getting an opponent to make a concession for merely entering talks can be a considerably advantageous maneuver, if the technique is used successfully. While the negotiations process is not without cost, when compared to possible alternatives, it is relatively inexpensive. Gaining a concession just for coming to the table is strongly akin to getting something for nothing. Bernhard Bechhoefer had occasion to explain that from the Soviet perspective, the concession to enter talks technique can be described as follows: "You (the Western powers) take action involving a concession to us (the Soviet Union) and in return, we shall agree to talk."⁵⁵ Bechhoefer continues:

The best example of this technique in this period [arms control negotiations from 1946 to 1948] was the Soviet atomic energy proposals, which in essence provided that if the United States and the Western powers agreed to eliminate their nuclear weapons, the Soviet Union would talk about a treaty for international controls to assure the observance of commitments.⁵⁶

17. BAZAAR TECHNIQUE

At the outset of any negotiations, the United States prefers to present what it feels is a *reasonable* position. A *reasonable* position from the United States standpoint is one which usually anticipates the initial Soviet demand, and attempts to start negotiating at what it feels should be the middle ground. In so doing America has, therefore, already made a compromise even prior to negotiations beginning. The Soviet Union invariably counters with what the United States feels is an unreasonable position. In the long run, any concessions made lean in favor of the Soviets.

⁵⁴E.F. Penrose, "Negotiating on Refugees and Displaced Persons," in Dennett and Johnson, p. 159.

⁵⁵Bernhard G. Bechhoefer, *Postwar Negotiations for Arms Control*. (Washington, D.C.: The Brookings Institution), p. 126.

⁵⁶*Ibid.* Much more recently the reader may recall that Soviet leader Gorbachev's "offer" in October 1987 to *even attend* a summit meeting with President Reagan was conditional upon certain United States concessions involving the Strategic Defense Initiative.

This technique has also been referred to as 'splitting the half'. In other words, if the original American desire is for 0, and the original Soviet desire is for 100, the United States will invariably make their starting position 50 (in anticipation of Soviet desires). In response the Soviet Union's position will *still* be their desired 100. Settlement ends up at 75, with the Soviets achieving 75% of their goal while the United States gains only 25% of their original desires.

Premier use of the bazaar technique by a Soviet negotiator is attributed to Maxim Litvinoff, who had a long and active career as a Soviet diplomat. Litvinoff began his rise to preeminence in the late 1920s, held the position of Foreign Affairs Commissar under Stalin from 1936 to 1938, and was appointed as Soviet Ambassador to the United States in 1941. Use of the bazaar technique by Litvinoff is mentioned in his biography by Arthur U. Pope:

Litvinoff as a full-fledged diplomat was decidedly unusual. Enemies have accused him of having brought into international negotiations the bazaar technique of starting discussions by demanding an exorbitant price so that even with substantial concessions he could still make a good profit.⁵⁷

Use of the bazaar technique by the Soviets may be reduced to: the making of proposals and counterproposals that may result in a widening of the negotiable gap, thus forcing their adversary (the United States) to compromise at some point below that originally considered.

18. INCREASE DEMANDS

The Soviets are inclined, at times, to increase their demands. If the United States gives in easily on a particular issue, the natural Soviet reaction will be to test the American negotiator's resolve further. The technique of increasing demands, also known as the "Sibylline Books" technique,⁵⁸ was used by the Soviets in negotiating with the Finnish government during the winter of 1939-1940. Iklé recounts that when Molotov:

⁵⁷Arthur Upham Pope, *Maxim Litvinoff*. (New York: L.B. Fischer Publishing Corp., 1943), p. 189.

⁵⁸"This tactic was already known in ancient mythology. The prophetess Sibyl of Cumae offered Tarquin the Proud, last of the legendary kings of Rome, nine books containing prophecies. Tarquin thought the price so high that he refused to buy them. Sibyl then burned three of the books and offered the remaining six at the same price. When Tarquin refused again, she burned three more, and Tarquin, fearing that she might destroy them all, bought the last three books at the price originally asked for the nine." This story was recounted in Iklé, *How Nations Negotiate*, pp. 210-211

Made his first peace offer, he warned the Swedish Foreign Minister who acted as intermediary: "If these terms are not now accepted, the demands will be increased." Two weeks later, he repeated this warning and made no concessions at all. And when the Finnish negotiators arrived in Moscow a few days later, new demands, indeed, were added. The Finns felt forced to accept.⁵⁹

19. WAIVING GAMBIT

The waiving gambit is one which has been used most frequently in conjunction with the aforementioned agreement in principle technique. This technique consists of Soviet insistence that the United States, in signing an agreement in principle, has given up the right to return to an issue in order to negotiate on specific details or technical criteria, thereby settling nothing.

The "agreement in principle" approach, if successful, is often followed by the "waiving" argument. That is, the Soviet diplomat will claim that, by not pursuing a matter of detail or a specific point at the time when the general agreement "in principle" was made, the diplomat "waived" it for all time.⁶⁰

20. TWISTING TECHNIQUE

The twisting technique may actually be looked at as a variation, or subset, of the fifth technique discussed -- lies, and may also be connected with the "quote Western sources" technique that is no. 26 in this survey. When the Soviets use the twisting technique they take Western statements and alter the originally intended meaning by quoting them out of context, or by subtly exchanging similar words that may be more readily misconstrued for the words actually first stated.⁶¹

21. FULL ACCOUNT

As with the twisting technique, the full account technique may be recognized as kin to the fifth technique of lies. In this technique, the Soviet negotiator will steadfastly maintain that the Soviet proposal, or position, takes the opponent's viewpoint into full account, thereby intimating fairness.

⁵⁹*Ibid.*

⁶⁰Dean, p. 46-47.

⁶¹Although techniques 20 through 27 were listed as having been identified *after* researching negotiations leading to the Limited Test Ban Treaty, further research reveals that many of these techniques were previously mentioned by other Western sources. Dellermann, p. 313-314.

22. POLITICAL ASPECTS PRIMARY

This technique is, even more than aloofness, one which is a fundamental aspect of the Soviet way of life. Basically the technique consists of Soviet statements that they cannot agree to a position because their political considerations outweigh any other possible considerations. When viewed in this manner, these may be true statements because after all, the Soviet political purpose is well known.

To the extent that Communists take seriously a view of history according to which their total victory is foreordained, the attainability of any intermediate goal toward that ultimate outcome must appear to be only a matter of time.⁶²

Joseph G. Whelan, in his review of the biography of Maxim Litvinov by Arthur U. Pope, uses quotes from Litvinov's Russian biographer, Kornev:

[Litvinov] explained that the Soviet diplomat tried in peacetime to perform the tasks which the Red army would have to perform in wartime -- a reversal of the famous sentence of Clausewitz: "War is the continuation of politics with other means" -- that is to say, "Diplomacy is the continuation of war by other means."⁶³

23. TECHNICAL INFORMATION VOID

The technique of using a technical information void means the Soviet Union either avoids, or outright refuses, to supply the United States with technical information vital to a round of talks. In part, such information denial is only a reflection of the historically secretive nature of the Soviet state. There are gains, however, that can be achieved through employing this technique.

When the Soviets create a technical information void in negotiations, the United States rushes in to fill the gap. In this way the Soviets can discover the extent of American advances within a particular technology without revealing how far behind, or ahead, similar Soviet technology stands. The Soviets successfully employed this technique in the 1958-1960 negotiations on the prevention of surprise attack.

The delegation of the Soviet bloc, amounting to forty-two experts and advisors (as compared to one hundred and eight experts and advisors from the West), apparently included no scientists, but consisted entirely of personnel of foreign offices and of military establishments. During the conference, the Western powers went ahead with the submission of their technical papers, and the Soviet Union proceeded to submit its "practical steps" to prevent the danger of a

⁶²Iklé, p. 179.

⁶³Whelan, p. 82.

surprise attack. After all the documents were submitted, Foster [the chief of the United States delegation] in his final statement commented:

The contrast between these two sets of documents is self-evident. We have sought to promote technical discussion and understanding. You have sought discussion of a selection of political proposals, for the most part not susceptible of technical assessment.⁶⁴

24. CONCESSION IS NO CONCESSION

The concession is no concession technique is similar to the previously discussed concession to enter talks technique, in that it is also closely akin to getting something for nothing. The Soviets tried this technique out during the meetings of the Disarmament Commission in 1952 and 1953. When the Soviets submitted a 'new' draft of a resolution:

Vishinsky hailed this new language as a tremendous concession to the Western position, since the Soviet Union was now accepting "continuous" inspection"...he declined to elaborate on the meaning of "inspection on a continuing basis" that would not "interfere in the domestic affairs of the States." He described all efforts to determine the meaning of his proposal as "playing at questions and answers." He flatly declared that unless the United Nations Atomic Energy Plan were withdrawn "there is no need for me to give any details."⁶⁵

Later information revealed that these: "...were the same proposals the Soviet Union itself had described as providing for periodic inspection. Therefore, the Soviet proposals for inspection on a continuing basis were identical with the proposals for periodic inspections."⁶⁶

25. ACTION

There is an old cliché which states that 'actions speak louder than words'. A prime example of the use of negotiations by action by *both* superpowers may be obtained by studying the events of the 1962 Cuban Missile Crisis. On this occasion the Soviet Union was unsuccessful at utilizing the action technique, while the United States was successful. Whelan writes that: "as a negotiating experience, the missile crisis was a unique illustration of...negotiations by action."⁶⁷

⁶⁴Bechhoefer, p. 470-471.

⁶⁵Bechhoefer, p. 168.

⁶⁶*Ibid.*

⁶⁷Whelan, pp. 351-352. The significance the Cuban Missile Crisis had on other negotiating encounters will be discussed in the next chapter.

Khrushchev made the first move by sending the missiles to Cuba. [He] miscalculated...the gravity of this action for U.S. vital interests...the U.S. countermove was to establish a quarantine line around Cuba and screen the inflow of shipping...[in addition] the President dispatched the reconnaissance flights, alerted the missile forces, and prepared for air strikes against the SAM sites as a first contingency and then, if necessary, a military invasion of Cuba. Such moves left Khrushchev with a single choice, between war and peace.⁶⁸

26. QUOTE WESTERN SOURCES

The quote Western sources technique can, in part, be used to gain propaganda benefits external to the negotiations, but more importantly, it can be used *within* actual negotiations. When well intentioned, though misguided, Western individuals (or organizations) publish opinions on negotiating issues, the Soviets then tout them as representative of Western desires as a whole.

Evidence that proves that this technique has been in use for decades may be found in Arthur U. Pope's biography of Maxim Litvinoff. In March 1928, during one of the first sessions of the Preparatory Disarmament Commission, Litvinoff gave a lengthy speech in preamble to advancing the Soviet Union's actual proposals. Litvinoff stated that:

The Soviet delegation has had ample opportunity to convince itself that the idea of complete disarmament has been met and accepted with enthusiasm by the broadest masses of both hemispheres and by all progressive and peace-loving elements in human society. The innumerable addresses and resolutions of sympathy from labor parties and multifarious organizations, groups and societies from all parts of the world which I am still receiving testify, among other things, to this. I will not take up your time by enumerating all of them, but will venture to read only one -- a collective address I received here a few days ago, signed by the representatives in thirteen countries of a hundred and twenty-four organizations (chiefly women's) whose membership runs into many millions....⁶⁹

This speech provides an example of the Soviet ability to pour out vacuous verbiage. The actual communique, as quoted by Litvinoff, was as follows:

On behalf of the growing world opinion, embodied in the organization which we represent, we gratefully welcome the courageous proposals of the Soviet Government for complete and general disarmament.... Being convinced that these proposals represent the will of the great mass of people in every country, who are determined to make an end to war, and that where the will exists practical means

⁶⁸ *Ibid.*

⁶⁹ Litvinoff does *not* mention the name of any of the one hundred and twenty-four organizations. Pope, p. 247.

can be realized for giving it effect, we urge with all the strength at our command that the members of the Commission should examine the Russian proposals with the utmost care and with the determination to place before the International Disarmament Conference, when it meets, some concrete scheme for the complete disarmament of the world within a definite period of time.⁷⁰

One can only guess at how greatly the Soviets must appreciate the opportunity to use *Western* sources in support of Soviet positions in negotiating with the United States.

27. ONLY ONE STUMBLING BLOCK

This technique consists of the Soviet negotiators emphatically stating that the Soviet position and the American position are actually very close, that, in fact, there is *only one stumbling block* which stands in the way of an agreement.

Predictably, the one stumbling block is an American position which is non-negotiable, based on vital national security interests. Use of this technique ties in closely with use of the propaganda technique, in that it affords the Soviet Union with the opportunity to present the world with a vision of the United States as the nation standing in the way of (for instance) world peace.

On the following page a complete list of the twenty-seven techniques⁷¹ that have just been discussed can be found in addition to a figure that illustrates Dellermann's research on the frequency of technique citation in Western literature.⁷²

⁷⁰ *Ibid.*

⁷¹ See Appendix A for a brief discussion of techniques not addressed specifically.

⁷² Within the scope of this thesis, the author's time constraints did not, unfortunately, permit a complete review of all works studied by Dellermann in order to obtain technique use frequency for #19 through #27. The authors researched by Dellermann were: Acheson, Bechhoefer, Craig, Dean, Deane, Hayter, Hazard, Holsti, Ikle', Kennan, Kertesz, Mosely, Noguee, Osborn, Pearson, Pipes, Steibel, and Thayer.

Frequency of author technique citation is shown below in Figure 2.1.

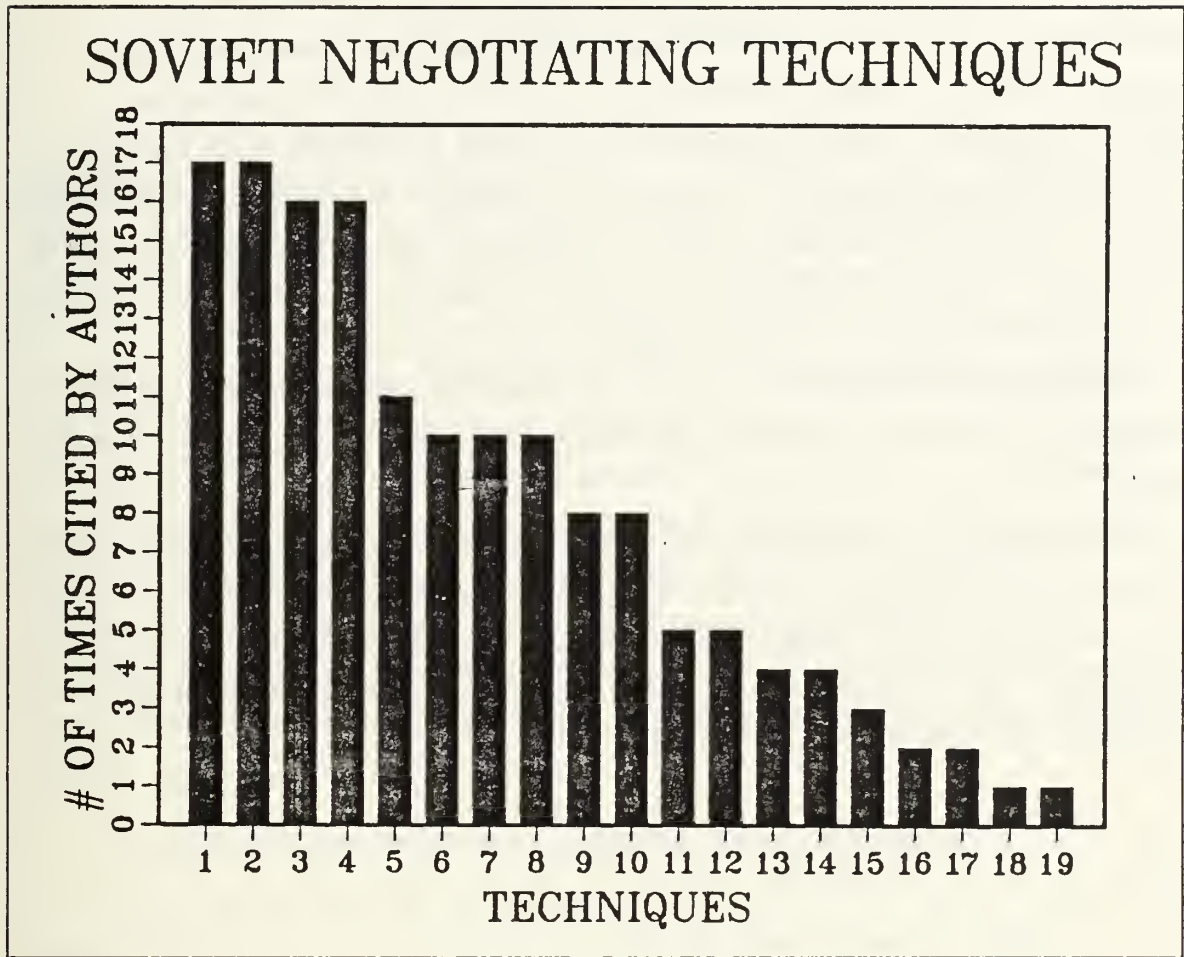


Figure 2.1 Soviet Negotiating Techniques.

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

C. TYPICAL VERSUS ATYPICAL

Atypical Soviet negotiating behavior would encompass new, previously unidentified, techniques and style. Logically, atypical negotiating behavior should also be identifiable, in part, by a *lack of*, or *decrease in*, the usage frequency of techniques considered "typical". Those techniques most often cited by Western authors, as displayed in Figure 2.1, may constitute typical behavior, while those cited least often may constitute atypical behavior. In subsequent chapters the information displayed in Figure 2.1 will be cross-correlated with graphs depicting frequency of techniques use in: a) the Limited Test Ban Treaty; and, b) the SALT I negotiations. From these, relative increases and/or decreases in Soviet technique use can be noted.

The techniques discussed in the previous section were all identified as having been used by the Soviets prior to the negotiations which resulted in a Limited Test Ban Treaty.⁷³

While a lack of, or decrease in, usage frequency may constitute atypical behavior, it may also reflect the Soviet's learning curve. A technique used unsuccessfully in one set of negotiations may be used less frequently in a following encounter. Similarly, techniques not noted for historical frequency may be used more frequently in future negotiations, once use has proved them successful.

⁷³The Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.

III. LIMITED TEST BAN

This chapter concentrates on the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water -- better known as the Limited Test Ban Treaty. (A copy of the text of the Limited Test Ban Treaty may be found reproduced in Appendix B.)⁷⁴ The first section includes both a brief account of events that led to the Limited Test Ban negotiations and a review of the negotiations themselves. This description is followed by an examination of Soviet behavior and specific techniques used during the talks. The negotiating techniques which were used most frequently⁷⁵ are then dealt with in more depth, citing examples by such authors as United States Ambassador Arthur H. Dean. The next section concerns apparent Soviet successes derived through the negotiations process. Finally, discussion in the last section includes a graph comparing the frequency of techniques used in general Soviet negotiating behavior with those used specifically in the Limited Test negotiations, and centers upon typical versus atypical Soviet negotiating behavior during the Limited Test Ban Treaty talks.

A. HISTORICAL OVERVIEW OF LIMITED TEST BAN TREATY

Western authorities differ as to when the Limited Test Ban Treaty negotiations began.⁷⁶ According to the Arms Control and Disarmament Agency (ACDA), intermittent negotiations aimed at controlling nuclear weapons testing were first entered into in May 1955. The Western nations came to the negotiating table in response to growing world concern over environmental contamination and possible resulting genetic damage. Theories on why the Soviet Union came to the table vary, but generally agree that environmental pollution and genetics were not foremost concerns in the Soviet's decision to negotiate on nuclear test ban limitations.

⁷⁴United States Arms Control and Disarmament Agency, *Arms Control and Disarmament Agreements, Text and Histories of Negotiations*. (Washington, D.C.: United States Arms Control and Disarmament Agency, 1982), pp. 41-43. For information on when specific nations have signed and ratified this treaty see pp. 44-47.

⁷⁵As identified by Dellermann in his study of usage frequency, pp. 316-317.

⁷⁶For instance, Dellermann indicates that the first stage of the negotiation began in March 1957, while March 1958 is cited by Christer Jonsson in *Soviet Bargaining Behavior, The Nuclear Test Ban Case*. (New York: Columbia University Press, 1979), pp. 86-87.

In support of this conclusion is the following analysis of Soviet motivation by Bernhard Bechhoefer:

The negotiations in the tripartite conference, however, proved that this [fear of the consequences of excessive radiation in the atmosphere] was not a major Soviet motivation. On April 13, 1959, President Eisenhower had suggested to Khrushchev the immediate discontinuance of nuclear tests within the atmosphere and under water. Such an agreement would completely eliminate the hazards of radioactivity resulting from testing. Khrushchev...rejected this approach in its entirety....⁷⁷

Having concluded that environmental impact was not the Soviets' driving force, Bechhoefer continued his analysis with a discussion of two plausible reasons for their interest in negotiating a nuclear test ban. The first credible reason involved a Soviet fear that chances of an outbreak of nuclear war might increase due to a rise in the numbers of nations possessing nuclear weapons. The second possible reason Bechhoefer offered is the Soviet desire to hinder American technological advances that would occur with further United States testing.

Although American and Soviet reasons for negotiating may have differed, both eventually reached the decision that it was time to begin talks. The first of the many forums for what was to become an eight-year discussion of the test ban issue was a subcommittee of the Disarmament Commission of the United Nations General Assembly. These early talks dealt with the test ban issue within the scope of disarmament in general, and various proposals were exchanged over the course of a year and a half.

Two factors combined to end these lengthy talks. The first influence was the final section of a proposal presented by the United States to the disarmament subcommittee⁷⁸ in August 1957. The proposal read: "This working paper is offered for negotiation on the understanding that its provisions are inseparable."⁷⁹ Among the inseparable components of the package were "reductions in armed forces and conventional armaments, control of objects entering outer space [and] safeguards against surprise attack..."⁸⁰ The Soviets had been expecting some Western concessions

⁷⁷Bechhoefer, p. 512.

⁷⁸Also known as the Subcommittee of Five.

⁷⁹U.N. Disarmament Commission, Subcommittee of the Disarmament Commission, *Fifth Report*, Annex 5, U.N. Doc. DC/SC.1/66 (Aug. 29, 1957), p. 10, quoted in Bechhoefer, p. 408.

at this point, yet the American package proposal contained none, and in fact made it clear that none were forthcoming.

The second factor that lead to talks ending was the composition of the original subcommittee, which had consisted of four Western nations -- Canada, France, Great Britain, and the United States -- and the Soviet Union. In partial response to Soviet Foreign Minister Andrei Gromyko's complaints, a vote was taken within the General Assembly to enlarge the Disarmament Commission from eleven to twenty-five members. The resolution passed: sixty in favor, nine against, with eleven abstentions. Those opposed to the resolution were all Soviet bloc votes, for, of the fourteen additional nations proposed, only three were to be from the Soviet bloc. Obviously, the addition of only three Soviet bloc participants was not satisfactory to Moscow.

In December, the 1957 disagreements over the combined issues of the Disarmament Commission enlargement and the Western insistence on acceptance of its proposals as a package reached a peak. Refusing to be involved in further negotiating within either the Disarmament Commission or its subcommittee, the Soviets ended these ultimately unproductive negotiations by walking out.⁸¹

The years 1958 through 1960 were characterized by organizational rebuilding. Shortly after the Soviet walk out, a series of letters and speeches were exchanged by the Americans and the Soviets. President Eisenhower and John Foster Dulles spoke for the West, while Bulganin, Gromyko, and finally Premier Khrushchev countered with Soviet statements. This exchange eventually led to President Eisenhower's April 28, 1958, proposal for an assembly of American and Soviet technical experts to work on controls needed to ensure against test ban violations, a proposal that was finally accepted by Khrushchev.

In the summer of 1958, an experts' conference convened: the Conference of Experts to Study the Possibility of Detecting Violations of a Possible Agreement on the Suspension of Nuclear Tests, and on November 10, the Conference of Experts for the Study of Possible Measures Which Might be Helpful in Preventing Surprise Attack began. Additionally, The United States, United Kingdom, and Soviet Union engaged in a tripartite conference in October 31, 1958, that was to last until January 29, 1962: the Conference on the Discontinuance of Nuclear Weapons Tests. The three key concerns at this last conference were high altitude tests, underground tests, and seismic research programs.

⁸⁰ *Ibid.*, p. 411.

⁸¹ *Ibid.*, pp. 424-425.

Simultaneous with these conferences, the United States continued its research programs.

An event that profoundly influenced the course of the negotiations...was the discovery by the United States, as a result of the series of underground nuclear explosions carried out in Nevada in the fall of 1958, that it is more difficult to distinguish between earthquakes and explosions than had previously been estimated.⁸²

The United States released this information (which was in part contrary to the conclusions that were agreed upon during the expert's conference) to the Soviets in January 1959. The new American data proved that a stricter control system than that recommended by the experts was necessary to differentiate between underground nuclear test explosions and earthquakes. The Soviets did not readily accept this information, maintaining that the release was merely a part of an American ploy aimed at spying on the Soviet Union.

A nuclear test ban was not the only subject of East-West dialog in the late 1950s. The first of two important treaties that were negotiated during this time frame was the Antarctic Treaty, signed December 1, 1959. This treaty was the first post World War II arms control agreement, and both internationalized and demilitarized the continent of Antarctica. This treaty also provided guidelines for scientific research conducted in the Antarctic and for scientific cooperation in conjunction with that research. Reaching agreement on the Antarctic Treaty offered hope for possible future agreement on the Test Ban issue. In August 1961, those hopes were dashed when the Soviets announced their intention to resume atmospheric testing. Not only did they resume testing, but rapidly embarked on the most intense series of atmospheric tests ever conducted. The heavy Soviet testing schedule confirmed the earlier suspicions of American negotiators that the Soviets had misused the test ban negotiations "as a screen for test preparations".⁸³

The Soviet Union maintained that the West must take sole responsibility for the Soviet test resumption. Test resumption, they said, would not have occurred:

Were it not for the feverish arms build-up, increase in military appropriations and numerical strength of armies of the NATO countries, the transfer of their armed forces closer to the borders of socialist states...the breech bolt clicking in Berlin...the continuation of nuclear explosions by France, the scientific and technical results of which go into the common NATO pot.⁸⁴

⁸²*Ibid.*, p. 509.

⁸³Dean, p. 90.

In response to the Soviet test resumption, the United States began testing once again the following spring.

In November 1961, a Soviet draft agreement proposed that national systems of detection should be used to insure compliance with a test ban.⁸⁵ This proposal, the only one of its kind from the Soviets, was a bit ironic considering the amount of Soviet abuse the United States was then receiving for their U-2 flights over Soviet territory (the U-2 clearly being a part of the United States national systems of detection.)

The next organization to assume the burden of negotiating a nuclear test ban was the Eighteen-Nation Disarmament Committee (ENDC), which met in Geneva and started its meetings in March 1962. The major stumbling blocks throughout these negotiations were similar to those that plagued the entire test ban negotiating period: all focused on the issue of verification: on-site inspection, control posts, and the relationship between seismic activity and underground nuclear explosions. Figure 3.1 depicts the negotiating differences between the United States and the Soviet Union.

ISSUE	SOVIET UNION	UNITED STATES
VETO	wanted all system operations subject to veto	insisted inspection process be automatic
ON-SITE INSPECTIONS	wanted no more than three per year	wanted inspections when detection equipment showed possible violations
CONTROL POSTS	wanted national operation and ownership of posts	wanted international operation and ownership of posts
ORGANIZATION OF CONTROL POSTS	wanted three: one neutral, one Westerner, one communist	wanted a single administrator

Figure 3.1 American/Soviet LTBT Negotiating Differences.

⁸⁴United States Arms Control and Disarmament Agency, *Documents on Disarmament, 1961*. Pubn. n. 5, 1962, quoted in Dellermann, p. 256.

⁸⁵P.H. Vigor, *The Soviet View of Disarmament*. (New York: St. Martin's Press, 1986), pp. 155-156. National systems of detection are now more commonly known as NTM (National Technical Means). NTM includes any and all means of detection, surveillance, etc., that a nation has at its disposal.

In late August 1962, Ambassador Dean -- head of the American arms control delegation in Geneva for two years, from January 1961 through December 1962 -- reached the conclusion that the Soviets would never accept any proposal for on-site inspection, no matter how many regulations and caveats were included. Taking this realization into consideration, Dean then offered two proposals to the Soviet delegates:

As chairman of the American delegation, I tabled at Geneva two draft treaties, one a partial and one a comprehensive test ban, and said we were prepared to sign the partial test-ban treaty in the three environments without inspection or the comprehensive test-ban treaty in all four [environments] with carefully worked-out inspection of otherwise unidentified underground seismic events.⁸⁶

Dean's proposal for a partial test ban was similar to the President's proposal that was rejected by Khrushchev in April 1959, only with the addition of a third environment, that of outer space. This time, however, the Soviets reacted with what was interpreted as more favorable interest. The possibility exists that the Soviet Union may have been spurred to more serious interest in actually reaching an agreement by the resumption of United States testing five months earlier. The Soviets countered the American proposals with a call to include underground tests in Dean's partial proposal, *without* any control system,⁸⁷ a position unacceptable to the United States

The October 1962, Cuban Missile Crisis (briefly discussed in the previous chapter) had a profound effect on East-West relations. It brought about a desire for a lessening of tension between the two superpowers. This confrontation showed the Americans and the Soviets how crucial timely communication could be during a major crisis. Dean maintains that, in his estimation, the Cuban Missile Crisis was a key factor leading to the signing of the Limited Test Ban Treaty. (Another factor he cites was that of the many concessions on the part of the United States, justifiable in part to technological advances in systems for detection, identification and verification of explosions associated with nuclear weapons tests).

The Cuban Missile Crisis also led to the second important treaty to be negotiated during the test ban period. On June 20, 1963, the Memorandum of Understanding Between the United States and the Union of Soviet Socialist Republics Regarding the Establishment of a Direct Communications Link (known more simply as the 'hot line agreement') was signed. This treaty resulted in the construction of a primary wire

⁸⁶Dean, pp. 90-91.

⁸⁷*Ibid.*, p. 90.

telegraph circuit and a secondary radio telegraph circuit, the express purpose of which was to facilitate swift communication between the Americans and the Soviets.

On July 2, 1963, Premier Khrushchev finally announced that the Soviet Union was ready to delink underground tests from a test ban. The Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and Under Water was formally signed at Moscow August 5, 1963, and entered into force on October 10, 1963.⁸⁸ Ultimately, the agreement finally reached was very similar to the partial test ban proposal offered by Dean in August 1962. At the outset the original Western intention had been to control *all* nuclear weapons testing -- in the atmosphere, in outer space, under water, and underground. However, the agreement did not eliminate underground testing.⁸⁹

B. SOVIET NEGOTIATING TECHNIQUES USED DURING LIMITED TEST BAN

All of the techniques discussed in the previous chapter were employed by the Soviets during the Limited Test Ban Treaty negotiations. Only the ten tactics most frequently utilized will be examined below. These techniques were, in order beginning with the most frequently used: rudeness, no concessions, propaganda, lies, puppet negotiators, aloofness, unreasonable demands, political aspects primary, technical information void, and tactic of the agenda.⁹⁰

1. RUDENESS (1)

One finds, in studying accounts of the Limited Test Ban Treaty negotiations, that rudeness was still very much in evidence in Soviet negotiators strategy. Arthur H. Dean had this to say about rudeness within the Limited Test Ban negotiations:

[The Soviet negotiator's] official stance at the negotiating table was rigid, *often rude* or at least barely polite, secretive, formal, very general, and given to diatribes and not dialogue as the safest way of dealing with almost any question.⁹¹ [emphasis added]

⁸⁸As of 1982, 108 nations have signed the Treaty, of which 91 have ratified it.

⁸⁹Radioactive debris caused by any underground tests is required to stay within the testing country's territorial limits.

⁹⁰For continuity purposes each Limited Test Ban technique discussed in this section will be shown with its originally assigned number.

⁹¹Dean, p. 34.

After nearly five decades, however, Dean noted that our negotiators had become inured to the verbal abuse, that the Soviets' primary tactic was losing its strength:

The use of rough, impolite, and vituperative language by Soviet representatives is a diplomatic style which communists have affected in greater or less degree from the days of the revolution of 1917, in order to show their contempt for capitalism and for "imperialist warmongers." It has become stereotyped. It is much like the traffic noise that assails our ears in so many places today: it may be annoying but does not prevent one's getting ahead with the business at hand.⁹²

2. NO CONCESSIONS (7)

The Soviet technique of no concessions was the second most frequently used technique during the Limited Test Ban negotiations. The period 1958-1960 was characteristic. Bechhoefer noted that during this time frame "the Soviet representatives did not make even minor shifts to bridge any of the remaining gaps between the positions."⁹³ Then:

Came the issue of atmospheric nuclear tests in the Spring of 1962, for example. For the previous six months the United States had confined itself to underground testing, although the Soviet Union had resumed nuclear tests in the atmosphere the summer before. But in March, 1962, the American government decided the self-imposed handicap was too great, and President Kennedy announced twelve days before the disarmament conference convened that the United States would soon have to resume nuclear testing in the atmosphere.⁹⁴

The President followed this up with a promise that the United States would not be forced to resume testing if the Soviet Union would sign a treaty with the appropriate controls before the latter part of April. Here was an excellent chance for the Soviet Union to make concessions without losing out, but "[as] it turned out, the Soviets were far too clumsy",⁹⁵ they made no concessions and the United States was obliged to resume atmospheric tests.

3. PROPAGANDA (2)

While Americans see negotiations as a means of working out differences and reaching agreements -- a process to be used to facilitate compromise and settlement -- the Soviets view negotiating as a useful way to advance their socialist goals. Early on,

⁹²*Ibid.*, p. 19.

⁹³Bechhoefer, p. 500.

⁹⁴Iklé, p. 231.

⁹⁵*Ibid.*

within the Limited Test Ban Treaty negotiations, the Soviets recognized the propaganda values that could be achieved. In Jonsson's study of Soviet negotiating behavior, he stated that: "disarmament proposals were seen [by the Soviets] as having a certain value as tactical propaganda devices aimed at expediting the downfall of imperialism, while disarmament as such was not possible as long as imperialism existed."⁹⁶

Although the Soviets felt that disarmament 'was not possible', they were certainly quick to recognize the propaganda advantages to negotiating on the topic.

In 1955 and 1956 the Soviet Union followed the Western example of suggesting individual measures of arms control to lessen tensions without relating them to any long-range objectives. However, by 1957 the Soviet Union *appreciated the political advantages of relating its position to the ideal of a disarmed world, even though the ideal might be unattainable*. Thereafter, the Soviet approach had two prongs. The Soviet Union in negotiations would initially advocate drastic and comprehensive disarmament. Somewhat later the Soviet leaders would say in effect: "if we cannot attain this drastic and comprehensive disarmament, we are willing to go along with partial confidence-building measures in the direction of the ultimate objective of total disarmament."⁹⁷ [emphasis added]

Agreements made in principle are usually vague statements made for political reasons, and can be used to achieve propaganda opportunities. Due to its relationship to propaganda it may also be important to consider Dean's assessment of the continued Soviet use of the agreement in principle technique:

Then there is the pitfall of the "agreement in principle," which was already a serious danger in wartime negotiations with the Soviets. Time and again...Soviet negotiators will *press for general agreement, often on a principle, such as being for "peace," to which it is very difficult to object, and will charge bad faith when this is refused*. They are aware of the impatience of their Western counterparts and seek to make agreement seem very close by stressing how easy it would be to record it in general terms. By pushing in this way, they hope for an agreement of such vagueness that they will be able to interpret it in their own way and act to their own advantage while professing to observe the agreement.⁹⁸ [emphasis added]

⁹⁶Jonsson, p. 106.

⁹⁷Bechhoefer, pp. 438-439.

⁹⁸Dean, p. 46.

4. LIES (5)

Propaganda, and its companion, agreement in principle, logically lead to the Soviet use of lies. The reader may recall, from the second chapter, Iklé's list of twelve rules for negotiating. In his estimation, the eighth rule -- refrain from flagrant lies -- "may be interpreted more broadly, not only as prohibiting outright lies, but as requiring that no important facts be withheld."⁹⁹ The Soviets appear to be masters at the art of omission.

Certainly the best example of Soviet use of this technique during talks for a Limited Test Ban Treaty was the Soviet atmospheric test resumption. In December 1959, President Eisenhower had announced that the United States no longer felt obligated to hold to a unilateral test moratorium. Amplifying on that idea the President stated that "although we consider ourselves free to resume nuclear weapons testing, we shall not resume nuclear weapons tests without announcing our intention in advance".¹⁰⁰

This announcement was not followed by any immediate resumption of American testing. (In fact, the United States did not start testing again until April 1962, nearly a year and a half later, and then only in response to Soviet tests.) The announcement was, however, followed by many violent, public denunciations of the United States by Soviet negotiators. The shrill criticisms of the Soviets masked their plans to do exactly what they were declaiming: Soviet plans to resume tests were in the works. This hypocritical Soviet reaction to the United States' announcement may have been so vituperative because they realized that they would soon be at a public disadvantage as world opinion might soon be condemning them for an *actual* test resumption.

5. PUPPET NEGOTIATORS (8)

Dean made a point of noting that the Soviet delegates negotiating the Limited Test Ban Treaty remained, consistently, the puppets of Moscow.

That the Soviet diplomat is determined to stand by his fixed position and that he lacks discretionary powers is certainly not news. One result is, of course, that he must wait for instructions -- though rarely admitting it -- before he can react to a new proposal, however logical, or suggest changes. He may, therefore, conduct "stalling" or "longtalking" tactics which may slow up proceedings for weeks or months.¹⁰¹

⁹⁹Iklé, p. 107.

¹⁰⁰Quoted from State Documents in Dellermann, pp. 244-245.

¹⁰¹Dean, pp. 34-35.

As previously cited in this section, Dean stated that Western negotiators had become inured to Soviet rudeness. In studying Soviet negotiating throughout the test ban talks, it also appears that the Western governments had not only grown accustomed to puppet negotiators, but actually came to expect the long information and decision delays caused by the Soviet delegate's wait for instructions from Moscow. Americans came to expect delays in conjunction with the distribution of technical information, like that obtained by the United States through research pertaining to the series of underground nuclear test explosions conducted in late 1958. This expectation was noted by Bernhard Bechhoeffer in the following passage:

[The] United States...brought the new data to the attention of the [Soviet] negotiators on January 5, 1959. The fact that the Soviet delegation at the outset paid no attention to this new data could be anticipated. No positive reaction by the Soviet Union could be expected prior to the completion of the mysterious and time-consuming bureaucratic processes of policy formation in the Kremlin, which have never taken less than three months.¹⁰²

6. ALOOFNESS (9)

Characteristic Soviet aloofness was present while negotiating a Limited Test Ban Treaty: "little or no personal relationships developed between the Soviet negotiators and their Western counterparts."¹⁰³ The idea developed that more informal discussions could be important, however:

As anticipated, the "unstructured meetings, where prepared statements were not supposed to be presented, started off with the reading by the Communist representatives of lengthy prepared statements, of which they had a record and we did not. Three meetings were wasted in this manner, and the whole idea of informal meetings fell into disrepute."¹⁰⁴

Ambassador Dean, however, noted that smaller informal meetings held by only the co-chairmen became helpful, but only:

Because it was possible there to exchange views on a continuing basis and in an informal way on a number of general problems beyond the immediate field of disarmament that were vexing to both the United States and the Soviet Union.¹⁰⁵

¹⁰²Bechhoeffer, p. 510.

¹⁰³Dellermann, p. 313.

¹⁰⁴Dean, p. 36.

¹⁰⁵*Ibid.*, p. 38.

7. UNREASONABLE DEMANDS (11)

From the previous chapter, the reader may recall Dean Acheson's description of the use of unreasonable demands by the Soviets in 1952 and 1955. Acheson also pointed out that the Soviets attempted to utilize the technique in 1963 during the Limited Test Ban Treaty negotiations. The unreasonable demand, Acheson said, might just as easily be called an impossible demand. The following is one example of such an impossible demand.

Time and again Mr. Tsarapkin declared that international control was conceivable only within the framework of a comprehensive, permanent test ban. Often this took the form of warnings or threats (if no comprehensive and permanent ban, then no agreement on control).¹⁰⁶

Jonsson also noted the Soviet penchant for using the linkage form of unreasonable demands, which is evident in the above quote. As the Soviets probably knew beforehand, This attempt at linkage was to be unsuccessful, but would provide them with propaganda opportunities. This next example of an unreasonable demand, provided by Dean, shows a second unsuccessful attempt by the Soviets at the use of linkage. Dean stated that:

Although the Soviet representatives argued strongly for some sort of commitment on the part of the United States and Great Britain to the negotiation of a nonaggression pact between the Warsaw Pact and NATO powers [as a precondition to a Limited Test Ban], this maneuver led to nothing more than a promise on our part to consult with our allies on the subject. The subject is, however, likely to come up again.¹⁰⁷

8. POLITICAL ASPECTS PRIMARY (22)

Dean Acheson has stated that in the traditionally Western approach "negotiation was bargaining to achieve a mutually desired agreement [while in the Soviet approach] it was war by political means to achieve an end unacceptable to the other side..."¹⁰⁸ This Soviet primacy of political gains was evident in negotiating a test ban.

According to Iklé: "Another way of expressing firmness is to maintain that one's position accords with legal or scientific principles...if you make your opponent believe that *you* think your proposal is grounded on such principles, you may have conveyed

¹⁰⁶Jonsson, p. 28.

¹⁰⁷Dean, pp. 98-99.

¹⁰⁸Acheson, p. 378.

to him that your proposal is firm."¹⁰⁹ This theory may also be applied to the Soviet argument while negotiating that their political aspects are primary: by maintaining that the Soviet position is based solely on political principles they may be able to convince the West that their position is politically non-negotiable. As just described, the Soviet claim that political aspects are primary may be used within negotiations as a specific technique. On a much broader scale, though, the political aspects to any arms control agreement are of paramount importance to the Soviets.

In Robin Ranger's book, *Arms & Politics, 1958-1978*, he discussed the Soviet predilection for forcing political arms control agreements (as opposed to technically limiting arms control agreements) on the West. He stated that the Limited Test Ban was: "almost exclusively an instrument of political rather than technical arms control."¹¹⁰

Motives for signing the PTB [Partial Test Ban] Treaty were political in nature: [the Soviets] capitalized on the symbolism that had come to be attached to nuclear testing as representing a barometer of...strategic balance and political relations. [The PTB] did not contain any significant contribution to limiting subsequent advances in strategic arms competition.¹¹¹

9. TECHNICAL INFORMATION VOID (23)

As mentioned earlier, after months of requests by the United States major technical experts conferences were held during the Limited Test Ban Treaty negotiations. However, while talks were underway, the Soviets not only failed to supply technical information to the United States, but also steadfastly refused to accept as valid the information that was made available by the United States. Dean stated that he and the other negotiators:

Felt it therefore to be our particular responsibility to make certain as we could that other nations were aware of the scientific facts involved in disarmament problems, so that they could both understand the bases for our policies and be better informed in the formulation of their own...Our working papers and our statements in the verbatim records were available and did go to Moscow. Unfortunately for the possibility of careful true dialog, there was no willingness on the part of the Soviet government to share freely with the world the results of its research on the scientific basis for its policies.¹¹²

¹⁰⁹Iklé, p. 202.

¹¹⁰Robin Ranger, *Arms and Politics, 1958-1978, Arms Control in a Changing Political Context*. (Toronto: Gage Publishing Limited, 1979), p. 62.

¹¹¹*Ibid.*, p. 64.

10. TACTIC OF THE AGENDA (12)

Although many other techniques could be discussed within the scope of the negotiations leading to the Limited Test Ban Treaty, the Soviet use of the tactic of the agenda will be the final technique addressed in this section. In the initial stage of negotiating there was controversy over the name for the conference. While the United States favored the term 'suspension' the Soviet Union desired the term 'cessation'. Ultimately agreement was reached on the neutral term 'discontinuance'.¹¹³ Bernhard Bechhoefer had occasion to note that:

The first month of meetings reproduced the by now familiar East-West debate on agenda. The Soviet Union once again sought an agenda, the first item of which was to prohibit nuclear tests. After agreement on the first item, under the second item, a "protocol" could set up the international control system. This was the familiar technique of all Soviet negotiations, asserted with slight variations, from 1946 through 1952. The prohibitions must precede the controls. The agenda should be used to predetermine the substantive result. After a month, the Soviet Union agreed to enter into an immediate discussion of the control system and the conference began to discuss specific treaty provisions.¹¹⁴

The Soviets also attempted to use this technique at the start of the 1958 Experts' Conference. Iklé states that the Soviets:

Maintained that the conference should start by coming out in favor of test cessation. As the leader of the Soviet delegation put it: "If we do not assume that tests must and will be halted, then our work is quite fruitless." The American scientists countered that the Experts' Conference should only examine techniques for detecting nuclear tests without reaching a conclusion on the desirability of test cessation. The American position won out, and the issue whether or not tests were to be stopped was left to the political test-ban conference.¹¹⁵

On the following page a list of techniques discussed in Chapter II can be found, in addition to Figure 3.2, which illustrates the frequency of Soviet technique use while negotiating on the LTBT.

¹¹²Dean, p. 23.

¹¹³Jonsson, p. 26.

¹¹⁴Bechhoefer, pp. 493-494.

¹¹⁵Iklé, p. 219.

Frequency of Soviet technique use in LTBT is shown below in Figure 3.2.

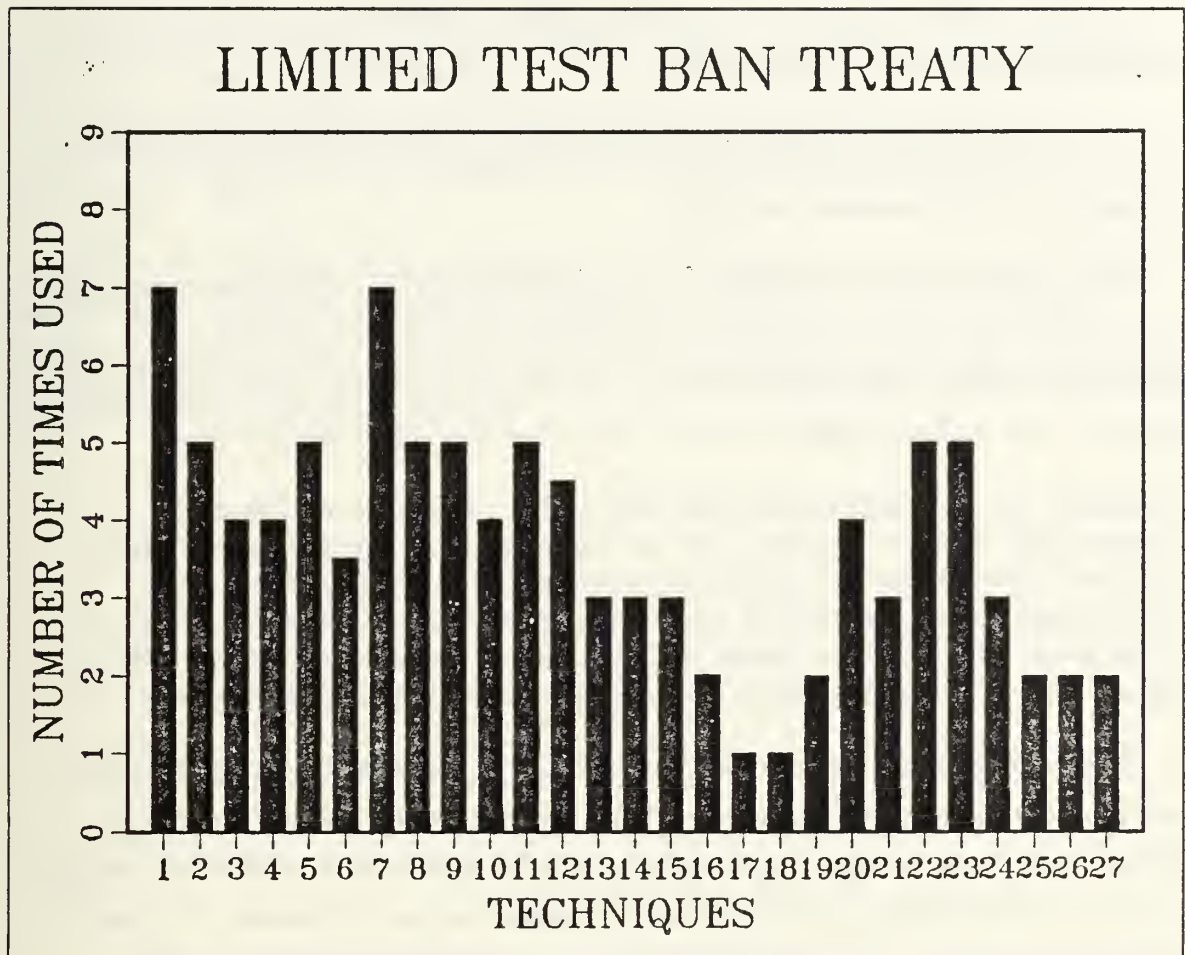


Figure 3.2 Soviet Negotiating Techniques used in LTBT.

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

C. SOVIET LIMITED TEST BAN SUCCESSES

Why did the Soviets finally agree to a test ban so similar to the one they turned down in 1959? Many of the years spent negotiating a Limited Test Ban Treaty were characterized by a Soviet holding pattern, one long stall for time.

Soviet Union rejected a three-environment treaty ban from 1958-1961 because it preferred an unpoliced moratorium that would minimize the cost of its resumption of atmospheric testing.¹¹⁶

During their intense atmospheric testing schedule the Soviets learned nearly all they needed to about the atmospheric effects of nuclear weapons detonations. Additionally, reaching an agreement was not in their political interests to negotiate an agreement for a nuclear weapons test ban until after the Cuban Missile Crisis.

Politically the crisis emphasized the Soviet Union's need to consolidate its position and to secure recognition of its right as a global superpower to compete with the United States beyond their most immediate areas of interest. This necessitated a re-examination of the existing understandings about the nature of superpower rivalry and the means for controlling it. Such control would have to be political, and therefore would involve political, not technical, arms control.¹¹⁷

It may be surmised that once the Soviet Union felt it had surpassed the United States in obtaining technical information from their intensive series of atmospheric tests they were ready to negotiate in earnest, in order to halt the United States testing that would inevitably bring further American nuclear weapons advances. The treaty that the Soviets wanted to sign was a treaty that was primarily political, a treaty without controls, and that the treaty they got.

There are varying reasons as to why a nation might choose to adhere to the terms of a treaty once it has been signed and ratified. Chief among one list of these reasons is the fear of punishment for non-compliance. At the top end of the scale punishment could mean military retaliation (of differing degrees). Lesser forms of punishment could include sanctions such as embargoes. Other explanations for why nations might comply with treaty terms are: a sense of the rational; the hope of providing predictability; and even a realization that at some point in the future other nations will be less motivated to negotiate an agreement with a lawbreaker.¹¹⁸ These

¹¹⁶Ranger, p. 65.

¹¹⁷*Ibid.*, p. 55.

¹¹⁸David W. Ziegler, *War, Peace, and International Politics*, 3rd ed. (Boston: Little, Brown and Company, 1984), p. 159-161.

general explanations may be applicable to many nations, but do not necessarily apply to the Soviet Union.

In January and October 1984 and February, June, and December 1985, President Reagan issued reports to Congress and the public that the Soviets had violated - or had probably violated - virtually every modern nuclear (and chemical-biological) weapons arms control agreement, including the Limited Test Ban Treaty of 1963...¹¹⁹

On the following page a complete list of the twenty-seven techniques discussed in chapter II can be found, in addition to Figure 3.3., which is a comparison of the information displayed in Figure 2.1 (author citation frequency) and Figure 3.2 (Limited Test Ban Treaty technique frequency).

¹¹⁹William R. Van Cleave, and S.T. Cohen, eds., *Nuclear Weapons, Policies, and the Test Ban Issue*. (New York: Praeger, 1987), p. ix.

Frequency of Author citation vs LTBT technique use is shown below in Figure 3.3.

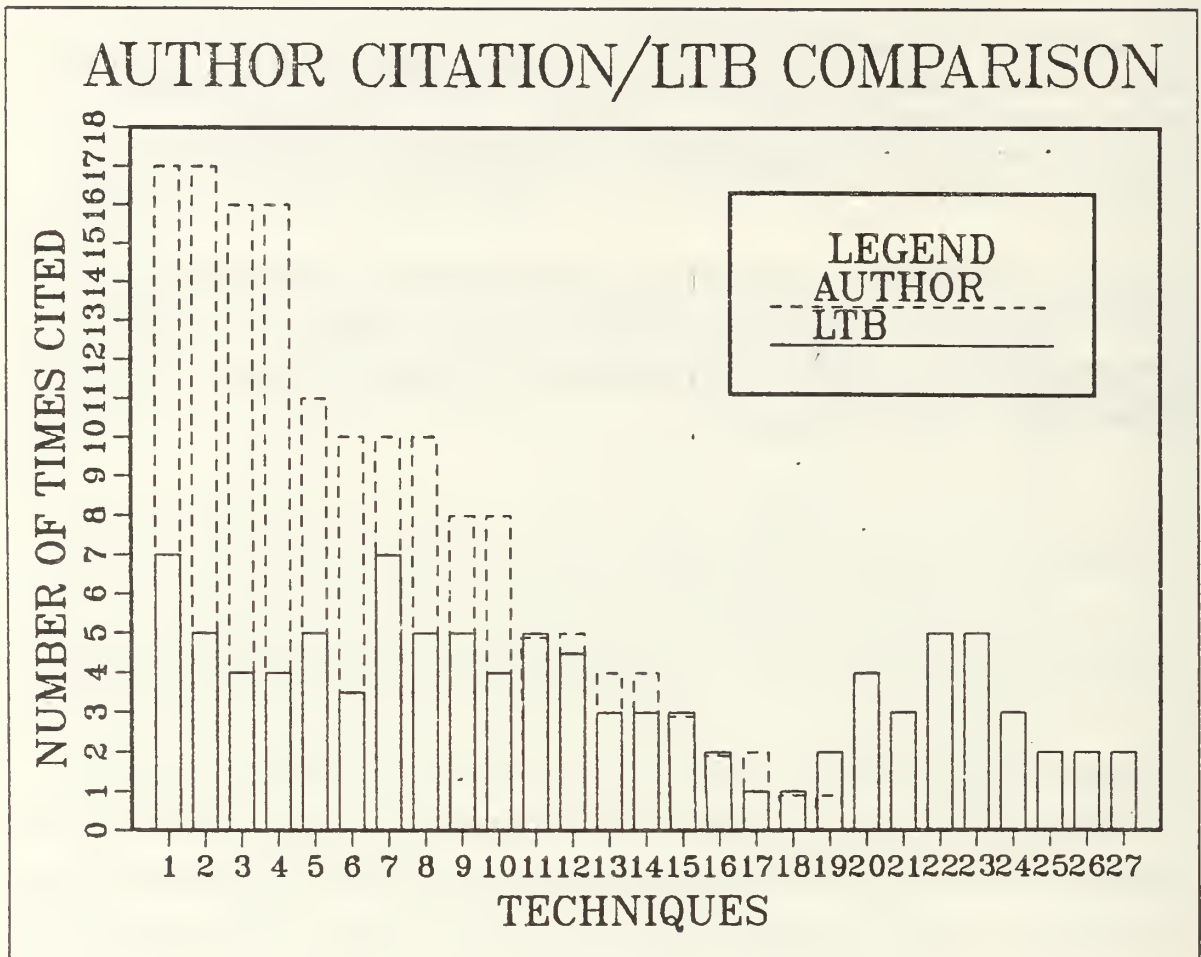


Figure 3.3 Author Citation vs LTBT Technique Frequency.

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

D. TYPICAL VERSUS ATYPICAL SOVIET LIMITED TEST BAN BEHAVIOR

In studying Figure 3.2 the reader may note that overall, Soviet negotiating behavior remained fairly typical. A large proportion of the Soviet favored techniques during the Limited Test Ban talks were also the techniques most frequently cited by Western authors in the previous chapter, indicating typical behavior. While this is the case, however, it is also true that a few of the more well known techniques were used less frequently during the Limited Test Ban negotiations, and a few of the less well known techniques were used with more frequency, indicating a certain amount of atypical Soviet negotiating behavior as well.

While Figure 3.3. shows all of the relative rises and falls for each technique, it may be important to call attention to a few of the more significant changes, as well as a few of the more significant consistences.

1. The primary Soviet negotiating technique identified by Western authors prior to the Limited Test Ban was rudeness (1). The technique of rudeness remained popular with Soviet negotiators during discussions on a test ban. Typical.

2. While previously *not* cited nearly as often by Western authors, the no concessions (7) technique was used by the Soviets as frequently as was rudeness. Atypical.

3. Political aspects primary (22), technical information void (23), and the twisting technique (20), all relatively unheard of prior to negotiating a test ban, were used extensively. Atypical.

4. Limited Test Ban usage of the bazaar technique (17) and increase demands (18) remained low -- one time only for each -- consistent with the low rate of usage previously identified by Western authors. Typical.

5. While negotiating on the Limited Test Ban Treaty, Soviet attempts to obtain an agreement in principle (10) were not overly prevalent. Use of its follow-on technique, the waiving gambit (19) did rise (from 12.5% to 50% relative to agreement in principle use). Atypical.

IV. STRATEGIC ARMS LIMITATION TALKS (SALT I)

This chapter concentrates on the SALT I Treaties -- The Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems (known as the ABM Treaty) and the Interim Agreement Between the United States of America and the Union of Soviet Socialist Republics on Certain Measures With Respect to the Limitation of Strategic Offensive Arms (known as the Interim Agreement). (A copy of the SALT I ABM Treaty and of the Interim Agreement are reproduced in Appendices C and D.)¹²⁰ The format of this chapter follows the same basic outline as that of the previous chapter. The first section contains a brief account of events which led to the SALT I negotiations, followed by a review of the main issues in the negotiations themselves. Next will be an examination of Soviet behavior and specific techniques used during the talks. The negotiating techniques which were used most frequently¹²¹ are then dealt with in more depth, citing examples by such authors as Raymond Garthoff, John Newhouse, and Ambassador Gerard C. Smith. The next section concerns apparent Soviet successes derived through the negotiations process. The final section includes a graph that compares the author citation from Chapter II with that of SALT I technique frequency, followed by discussion on typical versus atypical Soviet negotiating behavior during the SALT I talks.

A. SALT I HISTORICAL OVERVIEW

The Soviets began to place a limited ABM network around Moscow in 1964. They maintained that, due to its purely defensive nature, the system was not as destabilizing as offensive strategic forces were. This position was reaffirmed in 1967 by Premier Kosygin, who was widely reported as saying that: "an anti missile system may cost more than an offensive one but it is intended not for killing people but for saving lives."¹²²

¹²⁰ACDA, pp. 139-142 and 150-152 respectively. Information on agreed statements, common understandings, unilateral statements and Protocols to both the ABM Treaty and the Interim Agreement may be located on pp. 143-147 and 153-157 respectively.

¹²¹As identified by Dellermann in his study of usage frequency, pp. 472-473.

¹²²Ranger, p. 154.

Taken at face value, the Soviet position that defense was better than offense might appear both logical and valid. From the United States' perspective, however, it was neither. The ABM system would give the Soviet Union both a strong strategic offense and defense, while America would be left with only offensive nuclear forces. If the Soviet Union *could* defend itself from a strategic nuclear attack while the United States *could not* defend itself, what incentive would the Soviets have not to attack the United States? Installation of the Moscow ABM system was, therefore, an extremely destabilizing move on the part of the Soviets.

Understandably, the United States wanted to negotiate limitations on defensive strategic weapons as soon as possible, and informed the Soviets of such. Faced with a lack of response from the Soviet Union, and after a great deal of internal negotiating, the United States devoted itself to development of its own ABM defense system. This decision did help provoke a Soviet response: they signalled that they were willing to negotiate on both offense and defense.

The fact that the United States seemed to be moving closer toward both ABM and MIRV [Multiple, Independently targeted Reentry Vehicle] capabilities while the Soviet Union itself had as yet only an inadequate ABM system and no MIRV at all, probably provided a strong incentive for Soviet readiness to begin strategic arms talks: to try to keep the United States from widening the advantages it might derive from these two salient strategic technologies.¹²³

Talks that would have started in the Autumn of 1968, if the Soviets had not decide to invade Czechoslovakia in August, began in December 1969. Despite Soviet assurances to the contrary prior to the start of actual negotiating: "inhibiting offense, not defense was to be a hard Russian position for the next two and one-half years."¹²⁴

The SALT I negotiating timetable is much more clear cut than that of the negotiations on a Limited Test Ban Treaty. As can be seen from examining the schedule of the actual talks in Figure 4.1 on the following page, the formal negotiating sessions were interspersed with three other meetings, the last of which was a summit meeting between President Nixon and Soviet leader Brezhnev.¹²⁵

¹²³Thomas W. Wolfe, *The SALT Experience*. (Cambridge, Massachusetts: Ballinger Publishing Company, 1979), p. 8.

¹²⁴John Newhouse, *Cold Dawn: the Story of SALT*. (New York: Holt, Rinehart and Winston, 1973), p. 90.

¹²⁵Information used in Figure 4.1 was derived from Wolfe, p. 227.

SESSION	PARTICIPANTS	DATES
1. Helsinki	Delegations	Nov-Dec 1969
2. Vienna	Delegations	Apr-Aug 1970
3. Helsinki	Delegations	Nov-Dec 1970
Washington	Kissinger/Dobrynin	Jan 1971
4. Vienna	Delegations	Mar-May 1971
5. Helsinki	Delegations	Jul-Sep 1971
6. Vienna	Delegations	Nov 71-Feb 72
7. Helsinki	Delegations	Mar-May 1972
Moscow	Kissinger/Brezhnev	Apr 1972
Moscow	Nixon/Brezhnev	May 1972

Figure 4.1 SALT I Negotiating Timetable.

Due to the availability of such a precise negotiating schedule, the detail required in discussing the Limited Test Ban in Chapter 3 will not be necessary in this Chapter. A discussion of relevant issues, however, is important.

The SALT I talks produced the ABM Treaty and the Interim Agreement, two distinctly separate accords. The first placed limits on strategic defense while the other put constraints on ICBMs and SLBMs. The ABM Treaty limited each nation to two ABM systems apiece, one for defense of the nation's capital and one for defense of an ICBM field. (This was changed in 1974 to one system apiece, either a nation's capital or one of its ICBM fields.)

The offensive limits codified in the Interim Agreement covered both land and sea-based strategic missile launchers, as well as nuclear submarines.

Figure 4.2¹²⁶ shows the ICBM and SLBM force levels agreed to in the protocol to the Interim Agreement by the United States and the Soviet Union at the conclusion of SALT I.

¹²⁶The information in Figure 4.2 is taken from Ranger, p. 158. Acronyms used in Figure 4.2 are: ICBM (Intercontinental Ballistic Missile), SLBM (Submarine Launched Ballistic Missile), SSBN (Ballistic Missile Submarine, Nuclear), Hotel (H)-Class Submarine (NATO designation for a first-generation Soviet nuclear-powered ballistic missile submarine carrying 3 SLBMs, first deployed in 1960. 10 H-class submarines were deployed during SALT I), and SS-7/SS-8 (NATO designation for first-generation Soviet ICBMs which were deployed in the early 1960s. 209 SS-7s and SS-8s were operational during the SALT I). All acronym definitions from Gerard C. Smith, *Doubletalk, The Story of the First Strategic Arms Limitation Talks*. (New York: Doubleday & Company, Inc., 1980), pp. 528-538.

	ICBM Silos	SLBM Launchers	"Modern" SSBNs
UNITED STATES	1,054	656 (or 710, if SLBM replace 54 older Titan ICBMs). "Modern" SSBN allowance then	41 44
SOVIET UNION	1,618 (included sub-total of 313 "Modern Heavy Missiles")	740 (or 950, if SLBM replaced (a) ICBM deployed before 1964 (210 SS-7 & 8); and/or (b) SLBM on older submarines; 10 H-class SSBN, each carrying 3 SS-N-5 SLBM). "Modern" SLBM allowance remained at	62 62

Figure 4.2 SALT I Offensive Strategic Force Limits.

The two agreements that comprise SALT I were signed at Moscow on May 26, 1972, and entered into force October 3, 1972.¹²⁷

B. SOVIET NEGOTIATING TECHNIQUES USED DURING SALT I

During SALT I the Soviets utilized three negotiating techniques that were not identified earlier in this thesis: back channel and eleventh hour negotiating, and cherry picking.¹²⁸

As a Soviet negotiating technique, cherry picking¹²⁹ consists of attempts to pick only certain portions out of package proposals, leaving behind the portions that the Soviets cannot make work to their advantage. Cherry picking was a technique that American negotiators were on the look-out for during the SALT I talks, for many of

¹²⁷Two other treaties were negotiated in conjunction with SALT I. On September 30, 1971, during session 5 of SALT I, the Agreement Between the United States of America and the Union of Soviet Socialist Republics To Improve the USA-USSR Direct Communications Link was signed. Made possible by advances in satellite technology, it replaced the antiquated wire telegraph circuit with two satellite communication circuits. On June 22, 1973, the Agreement Between the United States of America and the Union of Soviet Socialist Republics on the Prevention of Nuclear War was signed. This treaty was a commitment to consult in the event that either nation came to feel that a real danger of nuclear war was eminent.

¹²⁸These are probably not new Soviet techniques, but simply techniques that went relatively unrecognized prior to SALT I.

¹²⁹Also known as taking the raisons out of the cake.

the United States package proposals contained items that were not necessarily beneficial to the nation if disconnected from the whole.

Eleventh hour negotiating is negotiating while already knowing when an agreement must be reached. John Newhouse, the SALT I historian handpicked by Kissinger, wrote that:

Negotiating against a deadline is always risky. But by arranging to sign a SALT agreement in Moscow, that is what Nixon elected to do. In effect, he placed himself in what French diplomats call the worst of positions: *demandeur*. It is hard for the other side to react to a self-anointed *demandeur* other than to exploit him. Yet, as it turned out, nobody seems to have been exploited. Brezhnev wanted, and apparently felt that he needed, the agreements as much as Nixon.¹³⁰

Back channel negotiating is a technique that consists of behind the scenes negotiating that is conducted simultaneously with, but entirely separate from, the formal negotiating sessions. The technique is highly controversial. Some SALT I analysts, such as historian John Newhouse, have written that the back channel negotiating that occurred was not detrimental.

SALT was well served by the Nixon-Kissinger system, which is suited to problems of surpassing sensitivity and long lead time. The back channel is a good place for dealing with rival powers, but allies, like bureaucrats, resent being left out....¹³¹

On the other hand, there are also strong proponents, such as SALT I Executive Officer and Senior Advisor Raymond Garthoff, of the conclusion that the back channel negotiating that occurred during SALT I can be "characterized as hectic, confused, and not successful in gaining [any] real [United States] objectives".¹³²

Many of the techniques used during the Limited Test Ban Treaty negotiations were used during the SALT I talks. Beginning with the one utilized most often, the most frequently used techniques will be discussed below: divide the opposition, stubbornness, propaganda, no concessions, action, rudeness, adversarial attitude, concession to enter talks, lies, and agreement in principle.¹³³

¹³⁰Newhouse, John, "Cold Dawn: the Story of SALT". in Haley, P. Edward, Keithly, David M., and Merritt, Jack, ed., *Nuclear Strategy, Arms Control, and the Future*. (Boulder: Westview Press, 1985), p. 212.

¹³¹*Ibid.*

¹³²Raymond L. Garthoff, "Negotiating with the Russians: Some Lessons Learned from SALT", (*International Security*. Vol. 1, Spring 1977), p. 16.

1. DIVIDE THE OPPOSITION (6)

During SALT I, one of the main negotiating goals of the Soviet Union appears to have been that of separating the United States from its NATO allies. This Soviet goal, however, was not realized, according to Leon Sloss, during:

The SALT negotiations there was a good deal of consultation with allies. Their interests were expected to be affected by limits on U.S. strategic forces, by the level of ABM deployments, and, even more directly, by the provisions relating to forward-based systems and the transfer of technology that the Soviets attempted to include.¹³⁴

Gerard Smith, who, as Director of the Arms Control and Disarmament Agency under President Nixon, was assigned as Chairman of the American SALT I delegation, recalled that:

Certainly [the Soviets] appreciated the potentially divisive effect on our North Atlantic and Pacific allies to this claim to include U.S. aircraft committed to forward defense and to exclude the Soviet missiles threatening Western Europe and the Far East. But if this was the Soviet motivation it was frustrated. For over two and a half years we kept in close consultation with our allies, briefing them during each of the seven SALT rounds, and usually before and after. The Allies were briefed twenty-two times in all. FBS [Forward Based Systems] naturally was the issue in which they took the most interest, and our discussing it frequently and frankly seemed to give confidence to the allies that their most immediate interests were being protected.¹³⁵

The Western European nations' initial fears that their interests would not be considered in discussions involving only the two superpowers were put to rest, for try as they might, the Soviets were unable to divide in order to conquer during the SALT I talks.

¹³³Similar to the previous chapter, for continuity purposes each SALT I technique discussed in this section will be shown with its originally assigned number. As will later be seen in studying Figure 4.2, the techniques of lies and agreement in principle were used as frequently as three additional techniques. This author chose to include the first two (over unreasonable demands, political aspects primary, and one stumbling block) because they were the two most often previously cited by Western authors.

¹³⁴Leon Sloss, "Lessons Learned in Negotiating with the Soviet Union: Introduction and Findings", in Leon Sloss and M. Scott Davis, eds., *A Game for High Stakes, Lessons Learned in Negotiating with the Soviet Union*. (Cambridge, Massachusetts: Ballinger Publishing Company), p. 14.

¹³⁵Smith, p. 92.

2. STUBBORNNESS (4)

Stubbornness, a long-standing Soviet negotiating technique, is a technique that can be highly successful if employed correctly. It can wear down the opponent to the point where he will concede on the issue out of sheer frustration.

Patience and firmness are necessary virtues in negotiation, but unproductive, indiscriminate or unduly protracted obstinacy is not. Controlled flexibility is necessary....It is, in short, necessary to be able to discriminate between patience and obstinacy, firmness and flexibility, and to know when and how to use each.¹³⁶

The Soviets were well known for their characteristic stubbornness during SALT I. General Edward L. Rowny (ret.), who was the Ambassador who represented the Joint Chiefs of Staff during the SALT I talks, noted that: "Vladimir Semenov, the Soviet negotiator in SALT...showed almost no flexibility in the negotiations"....¹³⁷ As previously mentioned in the historical section of this Chapter, inhibiting offense, not defense, was to be a firm Soviet negotiating position right up until the start of formal negotiating sessions.

The Soviets never did consent to negotiate the phased destruction of B-47s and TU-16s [American and Soviet bomber aircraft], and for two years, they steadfastly refused to negotiate any freeze on strategic weapons systems.¹³⁸

3. PROPAGANDA (2)

Once again the Soviets came to the negotiating table with the idea of using the proceedings as a means of advancing their socialist goals. According to John Newhouse, in the Strategic Arms Limitation Talks (SALT) the Soviets not only used negotiations to "buy time, becloud the issue, and acquire propaganda [advantages, thereby gaining] political leverage".¹³⁹ (emphasis added)

Due to the extreme secrecy of the SALT I negotiations, however, the opportunities for Soviet propaganda gains were not available to the extent that they had been in the past. Garthoff noted that:

¹³⁶Garthoff, p. 24.

¹³⁷Sloss, p. 10.

¹³⁸Dellermann, p. 375.

¹³⁹Newhouse, in Haley, p. 211.

Throughout, there was a remarkable absence of intrusion of extraneous ideologizing and propaganda. This stands in marked contrast to the experience of most earlier post-war negotiations with the Soviet Union. The confidentiality of the negotiations clearly contributed to this approach in SALT.¹⁴⁰

While secrecy precluded extensive Soviet propaganda gains in the public arena, it left open the opportunity to use Western statements to their advantage while at the negotiating table. This was evident:

During the latter half of 1970 and the first half of 1971, [when] it became increasingly clear that the United States was gradually disengaging from its own NCA [National Command Authority] proposal, and was attempting to gain the right to salvage as much as possible of the Safeguard ABM deployment in defense of the minuteman ICBM which was slowly proceeding against a considerable opposition in the US Senate. The American Delegation increasingly argued the merits of ICBM defense on grounds of enhancing strategic survivability and stability, whereas the Soviets could -- and did -- simply play back our *own* arguments of 1970 in support of limitation only to an NCA authority.¹⁴¹

4. NO CONCESSIONS (7)

Soviet unwillingness to make concessions was quite apparent during the SALT I talks. At times this unwillingness worked to the Soviet advantage, while at other times the result was a reciprocal United States unwillingness to make concessions. In 1970, the Americans made concessions when they dropped MIRV limitations and offensive force reductions from their proposals. These concessions were not met with concessions by the Soviet Union.

When the American August 4 proposal neither became a basis for possible agreement nor led to a Soviet alternative proposal (except to suggest an initial agreement only limiting ABM systems), we dug in.¹⁴²

In an interview, Helmut Sonnenfeldt, who acted as Kissinger's advisor during high-level SALT related conferences with the Soviets, described the Soviet attitude toward making concessions:

As negotiators, the Soviets are "tenacious." Usually, they begin a negotiation, Sonnenfeldt recalled, by taking a very firm position and putting the burden of compromise on the other side, though they try to "put a reasonable face" on their

¹⁴⁰Garthoff, p. 5.

¹⁴¹*Ibid.* p. 11.

¹⁴²*Ibid.*, p. 7.

position. They say, in effect, "this is our position; of course, we are willing to hear yours, and so on... they yield points rather grudgingly,"¹⁴³

When, after an extended period of no concessions, the Soviets do yield a point they seem to expect greater Western concessions in return. "They resort to a tactic of dramatizing their concession. They use their own *readiness* to compromise on a particular point to extract a greater compromise from the other side in return, [and] try to make you awfully grateful for what they have done."¹⁴⁴ (emphasis added)

5. ACTION (25)

Negotiating by action, while comparatively neglected during the Limited Test Ban talks, was highly prevalent during SALT I. The following example illustrates to what lengths the Soviet were willing to go in order to communicate with the United States using actions (in this case slowing or speeding their ICBM build-up) to back up their words.

The Soviet Union displayed a subtle use of military programs for signaling in the SALT I negotiation. After SALT began in November 1969, the previous rapid ICBM buildup ceased; additional groups of ICBM launchers were begun for nearly a year. At the time, as the talks began to stalemate in late 1970, a new signal was made by the initiation of eighty new launchers. Again, following the May 20, 1971, agreement (but not as a part of it) the Soviet Union unilaterally refrained from initiating any additional new ICBM launchers. Thus in the two and a half years of negotiation of SALT I only eighty Soviet ICBMs were added, in contrast to 650 in the preceding two and a half years.¹⁴⁵

It may be conjectured that the Soviets felt that this seemingly responsible behavior on their part would give the appearance of negotiating sincerity. This type of broad scale negotiating by action was augmented by Soviet use of the same technique on a narrower scale. The Soviets were given the opportunity to demonstrate this more limited approach when: "two U.S. Army Generals, Scherrer and McQuarrie, flying a light plane from Turkey, inadvertently crossed the Soviet border in bad weather and were detained on landing."¹⁴⁶

¹⁴³Whelan, p. 506.

¹⁴⁴*Ibid.*

¹⁴⁵Garthoff, p. 21.

¹⁴⁶Smith, p. 181.

The day of the next plenary, the entire American delegation was invited to a Soviet reception commemorating the October Revolution. The generals were still being detained. To demonstrate feelings about the incident, the American presence was minimal, a fact quickly noted by the Soviet hosts. An American officer asked his Soviet counterpart how they could expect us to be voluntary guests when our countrymen were being detained involuntarily. One Soviet said the generals' case was indirectly related to SALT. They would not have crossed the Soviet border had the United States not had forward bases in Turkey.¹⁴⁷

Four days after the reception the generals were released. Although it did the Soviets no good on the issue, it is very possible General Scherrer and General McQuarrie were detained in the Soviet Union in order to stress Soviet FBS objectives.¹⁴⁸

During SALT I, negotiating by action was not unique to the Soviets. The United States took advantage of the action technique in order to speed the Soviet decision making process.

There is little doubt that Kissinger's first China trip and Nixon's commitment to go himself aroused Brezhnev to hasten the sluggish pace of his *détente* diplomacy. Few concepts are more detested in Moscow than that of a multipolar world.¹⁴⁹

6. RUDENESS (1)

Rudeness was used during SALT I. Those who were there noted that, compared with previous experiences, there was a decrease in usage by the Soviet delegates, relative to evidence that the Soviet negotiators were emulating the more civilized Western negotiating manners.

With respect to Soviet negotiating behavior, the SALT I experience revealed a significant distinction: the emergence of elements of traditionalism in negotiations at the SALT delegation level.¹⁵⁰

More social behavior on the part of the Soviet delegates was: "in contrast to a continuation of the crude 'shock tactics' at the highest political level reminiscent of the past."¹⁵¹ Soviet leadership used rudeness during talks with President Nixon, who recalled that he was verbally abused by Brezhnev during the May 1972 summit.

¹⁴⁷*Ibid.*, p. 182

¹⁴⁸*Ibid.*

¹⁴⁹Newhouse, *Cold Dawn: the Story of SALT*, p. 235.

¹⁵⁰Whelan, p. 485.

¹⁵¹*Ibid.*

Everyone was "in a good humor" when they returned to the dacha from a boat ride on the Moskva River, but for the next 3 hours as the two negotiating teams sat facing each other, the Soviet leaders... "pounded me bitterly and emotionally about Vietnam."¹⁵²

7. ADVERSARIAL ATTITUDE (3)

In conjunction with rudeness the unpleasant Soviet technique of maintaining an adversarial attitude was evident during the SALT I talks. Whelan, after interviewing Ambassador Beam, wrote that: [Beam] found them "competent negotiators" but "always unpleasant, mostly unpleasant." [They] "antagonize you right away when they start out; then try to put you on the defensive right away."¹⁵³

In the past the Soviets' adversarial attitude has been excused, partially, because of the well known Soviet fear of foreigners on their soil. General Rowny brings up an interesting point that leads one to the conclusion that the well-publicized historical image of a continually besieged Soviet state should not be given too much consideration.

Granted, the Soviets have been invaded by the Tartars, the Poles, the Swedes, the French, and the Germans. But they themselves have invaded the Crimea, Finland, Siberia, Latvia, Lithuania, Estonia, Hungary, Czechoslovakia, and Afghanistan, to name a few. The record is mixed. On the one hand, they do have a defensive attitude and do remember being invaded. On the other hand, they did not come to occupy one-sixth of the world's space simply by being invaded.¹⁵⁴

8. CONCESSION TO ENTER TALKS (16)

In Chapter II use of the Soviet concession to enter talks technique was described as remarkably similar to trying to get something for nothing. Two instances of Soviet attempts at receiving American concessions for agreeing to discuss a subject during SALT I are discussed below by Dellermann:

The Soviets at first refused to discuss SLBM [Submarine Launched Ballistic Missiles] launchers, but added that if they were to be discussed the USSR must be allowed more launchers than the United States. It was clear that this was a precondition for any negotiations on SLBMs.¹⁵⁵

¹⁵²*Ibid.*

¹⁵³*Ibid.*, p. 501.

¹⁵⁴Edward L. Rowny, "Ten Commandments for Negotiating with the Soviet Union", in Sloss and Davis, p. 52.

¹⁵⁵Dellermann, p. 463.

9. LIES (5)

That the Soviets used lies and deceit while negotiating on SALT I was unmistakable. The United States attitude toward this type of negotiating behavior is, first of all, disbelief, as Americans tend to assume honesty long before they look for dishonesty. Second, Americans react with condemnation, when they realize once again that they have been misled.

The issue of the Soviet attitude toward morality is a controversial one... [They] would rather lie and cheat than be accused of stupidity. The Soviets view negotiation as a competition and will take advantage of any loopholes that we are shortsighted enough to allow them. They do not consider this sort of behavior to be lying or cheating. Their approach to morality is different from ours. Whatever they do as a service to their country they consider to be morally irreproachable.¹⁵⁶

According to Paul Nitze, who was a member of the United States SALT delegation, the Soviets negotiated this way during SALT I. The following quote is important, for in addition to illustrating Soviet underhandedness, it provides a good example of the type of proposals provided by the Soviet Union throughout the SALT I negotiations.

The ABM agreement says that in addition to the ABM components that they can have in a circle around Moscow and in one missile defense field, they can have a limited number of ABM components at test ranges for the purposes of tests at existing ranges... Then we tried to get an agreement from them as to exactly what those existing test ranges were. We drafted a statement saying our ABM test ranges were at Kwajalein and at White Sands. We understood their was at Shari Shagan. They did not disagree but said they would prefer to put in a parallel statement. In that statement that said they agreed that national technical means of verification are adequate to determine where existing test ranges are, et cetera. Then, much later, they claimed that all along Kamchatka had been an additional testing range on their side. Subsequently I understand they have claimed all test ranges, whether they be tank test ranges or anything else, can be ABM test ranges; therefore, they could have 15 ABM's on any one of an infinite number of test ranges. We told them the way we interpreted the treaty language. They didn't tell us they had a different interpretation. Then they claimed that the language of their unilateral statement does not specifically say that they had only one ABM test range at Shari Shagan.

When recalling this Soviet proposal Nitze concluded that if [that isn't negotiating like a shyster, I don't know what is].¹⁵⁷

¹⁵⁶Rowny, p. 53.

¹⁵⁷Whelan, p. 495.

10. AGREEMENT IN PRINCIPLE (10)

The now familiar Soviet technique of insisting on an agreement in principle was used during the SALT I talks.

It called for limitations on strategic offensive armaments, defined as those capable of striking targets within the territory of the other side, regardless of where those armaments were deployed. Forward-based delivery systems in a geographic position to strike such targets should be destroyed or moved out of range. An unspecified total should be established for land-based ICBM launchers, ballistic missile launchers on nuclear submarines, and strategic bombers. Replacement of units of one type by those of another type would not be permitted. The *production* (but not the testing) of multiple warheads of any kind and their installation in missiles would be banned. Limitations would be placed on ABM launchers and certain associated radars. Verification would be by National Technical Means only. No on-site inspection.¹⁵⁸

Ambassador Smith wrote to the President and informed him that this particular document was essentially political in nature. Permitted levels for offensive systems were not specified. The Soviets never budged from the position that numbers would be disclosed and discussed only after agreement on principles.¹⁵⁹ When the West does succumb to the temptation of signing an agreement in principle, the United States adheres not only to the letter, but the spirit of the law. Western expectations that the Soviets will do likewise are unrealistic.

This general approach to agreements is one reason why the concept of acting in the spirit of an agreement is not part of the Soviet practice; if a given point is not in the text of the agreement, to follow it nonetheless is an unmerited bonus to Western participants.¹⁶⁰

On the following page a complete list of the twenty-seven techniques discussed in chapter II can be found, in addition to Figure 4.3., which illustrates Dellermann's research on the frequency of Soviet technique use while negotiating on SALT I.

¹⁵⁸Smith, pp. 123-124.

¹⁵⁹Smith, p. 124.

¹⁶⁰Jonathan Dean, "East-West Arms Control Negotiations, The Multilateral Dimension", in Sloss and Davis, p. 85.

Frequency of Soviet technique use in SALT I is shown below in Figure 4.3.

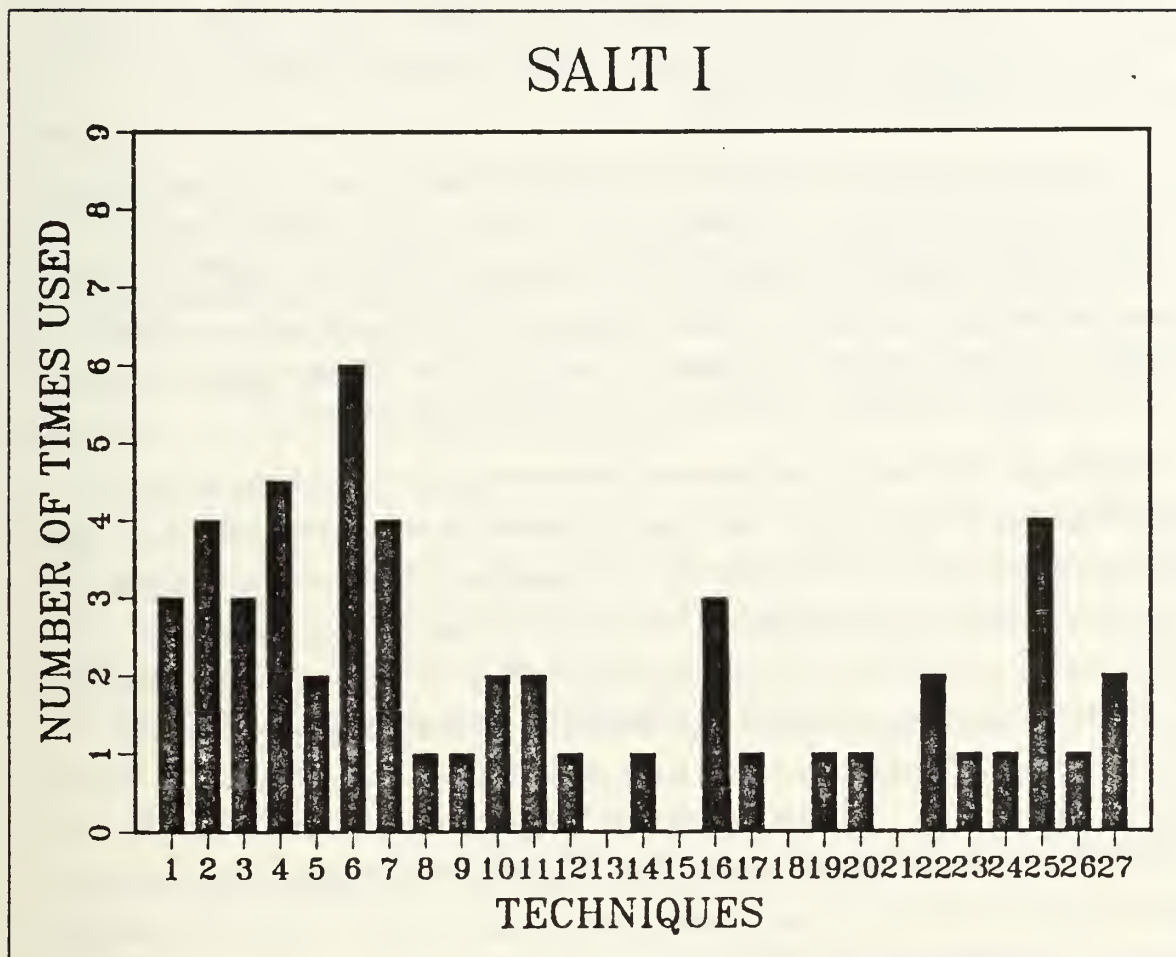


Figure 4.3 Soviet Negotiating Techniques Used in SALT I.

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

C. SOVIET SALT NEGOTIATING SUCCESSES

In studying negotiating successes, one must first examine the goals of those negotiations. United States objectives were: to deter attacks on the United States and its Allies; to defend the United States and its Allies should such deterrence fail, and to achieve arms control and crisis stability.

[The Soviets] wanted an agreement that would stop the U.S. ABM program, with its potential for triggering a full-scale ABM competition, and one that would register American acceptance of strategic parity. They wanted an agreement permitting deployment of a new generation of ICBMs that we later learned they were developing. And they wanted no inspection in the Soviet Union. Added targets of opportunity were U.S. bases in Europe and the Far East and a long-shot possibility of halting or slowing up U.S. MIRV deployments.¹⁶¹

During SALT I, the United States negotiated based on an American conception that stability was the shared goal and strategic balance was desired between the United States and Soviet Union. The Soviet Union rejected the United States concepts and countered with their own "equality and equal security" needs, which superficially sounded similar to American ideas, but were not. What "equality and equal security" meant in Soviet terms was that they were entitled to compensation for the United States advantages of geographic locale, technological strength, and alliance relationships.¹⁶²

The Soviets' basic approach during SALT I differed significantly from the basic American approach. This demand provides an excellent example of the Soviet ability to cloud an issue during the negotiation process.

The Soviets wanted an overreaching, general, *politically* meaningful accord; we stressed concrete *militarily* meaningful arms control....The Soviet approach...aimed at general American acceptance of the rough strategic parity that had been achieved, and at a more general restraint on military buildup while accenting political detente.¹⁶³

Indirectly, the Soviets achieved successes by using negotiating techniques that helped them to stall for time during the course of SALT negotiations. A full-scale ABM program would have protected Soviet industry and citizenry. A full-scale ABM

¹⁶¹Smith, p. 125.

¹⁶²Robert J. Einhorn, *Negotiating From Strength, Leverage in U.S.-Soviet Arms Control Negotiations*. (New York: Praeger Publishing, 1985), p. 36.

¹⁶³Garthoff, pp. 5-6.

program, however, was not what was allowed by SALT I; what the United States thought was agreed to appeared to correspond to the American concept of mutual vulnerability, under which two (later one) ABM systems per nation were acceptable. On the surface, such an arrangement would appear to have been made in good faith, suggesting mutual trust. The Soviets used the time bought during the treaty to move three quarters of all their new industry out to the small and medium-sized towns. This is known as protection by dispersal.¹⁶⁴ Further, stalling for time allowed for the education of the Soviet civilian population in civil defense measures. Dispersal and civil defense education have done essentially the same as what an ABM defense system would have done -- protect Soviet industry and citizenry. Such actions tend to negate any initial trust we may have felt in entering into a defense restrictive treaty.

It is logical to believe the Soviets will accept agreements only if they calculate that they will be better off, or at least no worse off, than they would be in the absence of mutual constraints. With this idea in mind, when can the United States reasonably expect concessions from the Soviets? According to Robert Einhorn,¹⁶⁵ the United States may get what appear to be Soviet concessions:

1. When they have encountered technological difficulties in producing a certain weapon;
2. When the United States holds the technological edge;
3. When the weapons system being limited has reached the end of its useful lifetime; or
4. When the limits imposed are close to planned Soviet goals anyway.

The primary question, in any one of these cases, is whether or not these are truly concessions. Concessions or not, all four of Mr. Einhorn's points have been confirmed by the results of SALT I.

In the late 1960s, the Soviet Union was not interested in limitations on an Anti-Ballistic Missile (ABM) defense system. Mr. Einhorn's first two points were illustrated when a United States nationwide ABM defense system appeared to become not only feasible, but a new and challenging technological threat to the Soviets, as they were unable to produce a superior, or even qualitatively equal system. Once Congress had approved the deployment of an ABM system and the Soviet Union felt that its national

¹⁶⁴Paul H. Nitze, "Assuring Strategic Stability in an Era of Détente". in Edward P. Haley, David M. Keithly, and Jack Merritt, eds., *Nuclear Strategy, Arms Control, and the Future*. (Boulder: Westview Press, 1985), p. 249.

¹⁶⁵Einhorn, p. 40.

security interests were threatened, they stopped dragging their feet in the SALT I talks and pushed for an agreement which suited their purposes. What the Soviets got was a nice, vague agreement which they could, and do, violate.

An example of Mr. Einhorn's third instance also occurred in SALT I. What appeared at the time to be concessions made by the Soviets were actually cases confirming the use of the "end of useful lifetime" tactic. The Soviets allowed SS7's and SS8's to be limited because they were reaching the end of their useful lifetimes.

The fourth situation to bring about Soviet concessions was also in evidence during the SALT I negotiations. It may be hypothesized that goals and limits planned by the Soviet Union coincided neatly with the limits which they *allowed* to be placed on ballistic missile launchers in the SALT I negotiations. It was, therefore, more than agreeable to them.

When SALT I got underway, the primary purpose of the United States was to bring about an arms control agreement that would limit strategic forces so that neither the Soviet Union nor the United States could launch a 'knock-out blow' against the other's strategic deterrent. To Americans, the Soviets did not appear cooperative in the negotiating *process*. *How, therefore*, could the United States hope for meaningful results from the SALT talks?

The United States wanted to limit offensive strategic weapons in SALT I, and did manage to obtain the Interim Agreement. The ABM Treaty, placing limits on defensive strategic weapons, came out much closer to what the Soviets wanted than to what America wanted.

On the following page a complete list of the twenty-seven techniques discussed in chapter II can be found, in addition to Figure 4.4., which is a comparison of the information displayed in Figure 2.1 (author citation frequency) and Figure 4.2 (SALT I technique frequency).

Author citation vs SALT I technique frequency is shown below in Figure 4.4.

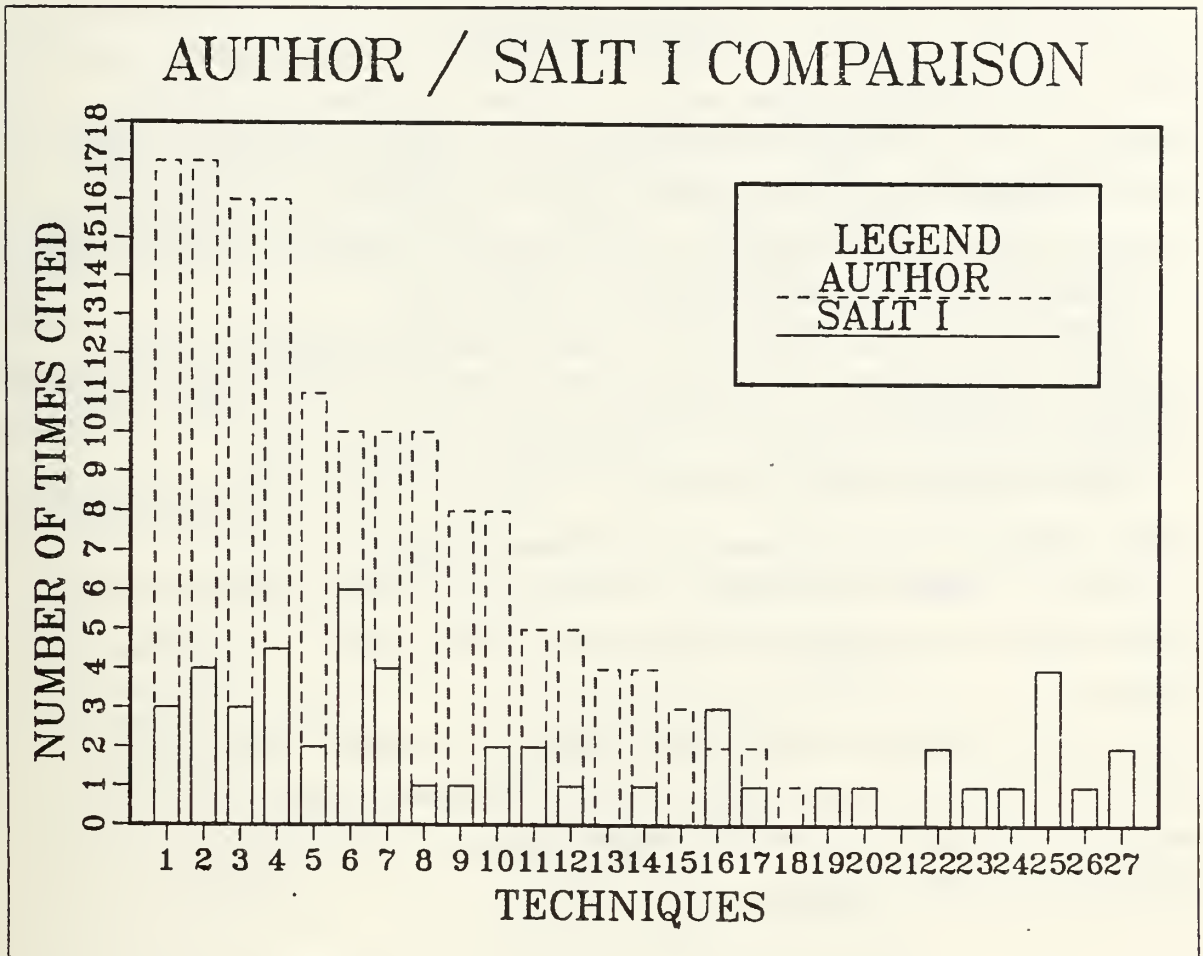


Figure 4.4 Author Citation vs SALT I Technique Frequency.

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

D. TYPICAL VERSUS ATYPICAL SOVIET SALT I NEGOTIATING BEHAVIOR

In studying Figure 4.4, it may be noted that a substantial portion of the Soviet favored techniques during SALT I were also the techniques most frequently cited by Western authors regarding Soviet behavior in earlier negotiations. Despite this similarity, Soviet negotiating behavior during SALT I appears to have been atypical when comparing technique frequency with historical expectation: overall Soviet technique usage was remarkably low. On the basis of the sources reviewed, over half of the techniques were used either only once, or not at all.

1. Eight of the ten most used SALT I techniques were in the author's top ten. Rudeness (1), propaganda (2), adversarial attitude (3), stubbornness (4), lies (5), divide the opposition (6), no concessions (7), and agreement in principle (10).

2. Two of the most frequently used SALT I techniques, action (25) and concession to enter talks (16), were not primary in past Western writings.

3. The four techniques not utilized at all during SALT I were: the walk out threat (13); treasuring of grievances (15); increase demands (18); and full account (21). Atypical.

4. An additional ten techniques were used only once. puppet negotiators (8), aloofness (9), tactic of the agenda (12), reversal (14), bazaar technique (17), waiving gambit (19), twisting technique (20), technical information void (23), and quote Western sources (26). Atypical.

V. CONCLUSIONS

A. LIMITED TEST BAN AND SALT I: POSSIBLE TRENDS

This study is, as was noted at the outset, based on a survey of several of the more authoritative Western discussions of Soviet negotiating behavior in arms control -- and on specific accounts of the LTBT and SALT I. On the basis of these sources, author technique frequency depicted in Figure 2.1 was compared first with technique frequency during the Limited Test Ban (Figure 3.3), and second with usage during SALT I (Figure 4.4). The final comparison that is made in this thesis is that of Soviet technique usage during the Limited Test Ban versus Soviet technique usage during SALT I (Figure 5.1).

The following list is provided for easy access to accompany Figure 5.1.

- | | |
|----------------------------|---------------------------------|
| 1. Rudeness | 15. Treasuring Of Grievances |
| 2. Propaganda | 16. Concession To Enter Talks |
| 3. Adversarial Attitude | 17. Bazaar Technique |
| 4. Stubbornness | 18. Increase Demands |
| 5. Lies | 19. Waiving Gambit |
| 6. Divide The Opposition | 20. Twisting Technique |
| 7. No Concessions | 21. Full Account |
| 8. Puppet Negotiators | 22. Political Aspects Primary |
| 9. Aloofness | 23. Technical Information Void |
| 10. Agreement In Principle | 24. Concession Is No Concession |
| 11. Unreasonable Demands | 25. Action |
| 12. Tactic Of The Agenda | 26. Quote Western Sources |
| 13. Walk Out Threat | 27. One Stumbling Block |
| 14. Reversal | |

In studying Figure 5.1, one can quickly see that the overall picture of Soviet negotiating technique use dropped considerably, in fact, by nearly half. A fifty percent reduction in technique use makes rises in any singular category that much more significant. It seems that the Soviets are still fine-tuning their negotiating techniques through a trial and error method, in which we are the Americans are the guinea pigs.

1. Rudeness (1) was identified as the primary Soviet negotiating technique both prior to, and during, the Limited Test Ban Treaty. During SALT I the use of rudeness dropped considerably (although the technique did remain among those most frequently used). Reliance on rudeness may have decreased as a result of its relative

LTB & SALT I COMPARISON

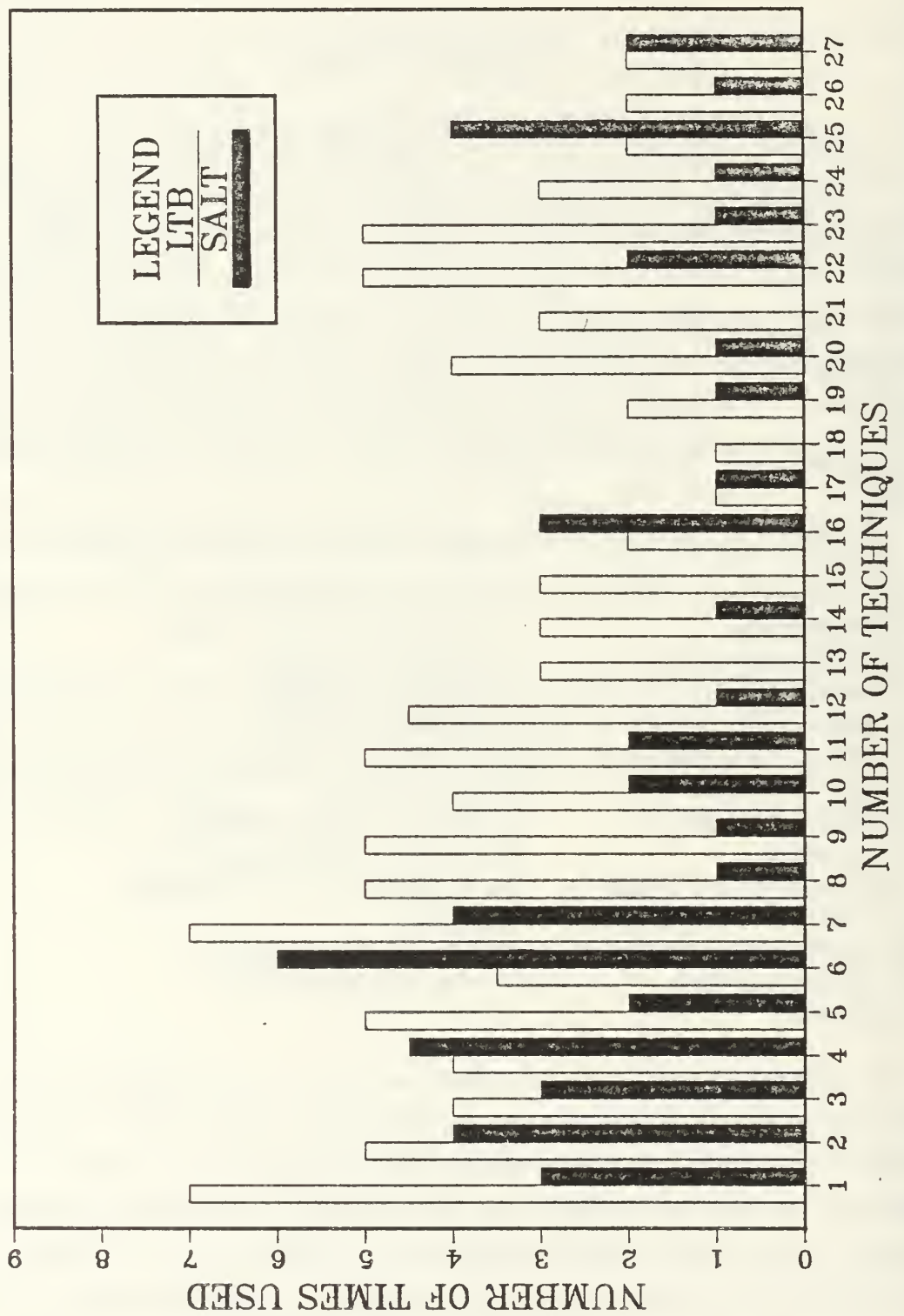


Figure 5.1 LTBT vs SALT I Negotiating Technique Comparison.

ineffectiveness during test ban talks: to American negotiators Soviet rudeness had become commonplace. This decrease may indicate atypical Soviet negotiating behavior. On the other hand, the decrease in rudeness may reflect an upward swing of the Soviet learning curve.

Four techniques stand out due to increased usage during SALT I. Dividing the opposition tops the list, followed by stubbornness, action, and concession to enter talks.

2. Stubbornness (4) rose slightly, reflecting the Soviet waiting game, as they may feel they have plenty of time considering their ideological belief in the inevitable and ultimate victory of communism.

3. Divide the opposition (6) rose to be most frequently used technique during SALT I. This rise may be indicative of increasing Soviet interest in separating the United States from its Western European NATO partners. This concept coincides with the judgement that: "[t]he first priority of Soviet policy in Europe has been to safeguard the USSR's territorial and political gains in World War II."¹⁶⁶

The Soviet approach to arms control seems to have been opportunistic and adaptive rather than uniformly coherent. The historical record suggests nonetheless that the USSR has attempted to use arms control to degrade the credibility of United States nuclear guarantees to Western Europe; to encourage Western self-restraint; to promote disunity in the Atlantic Alliance; to deny fallback options to Western Europe; to place the USSR in a better position for the contingency of war; and to advance the long-standing Soviet goal of an "all-European" collective security system that excludes the United States.¹⁶⁷

4. Soviet use of the concession to enter talks (16) technique increased by 50%. When comparing use during the Limited Test Ban and SALT I, the rise of this tactic may reflect the Soviet belief that they may be more successful with their repeated attempts to get something for nothing.

5. Based on the sources reviewed, the use of the action (25) technique by the Soviets doubled during SALT I. Possibly the Soviets have had to increase their use of this technique, as the United States may no longer so gullible as to believe *everything* the Soviets say.

¹⁶⁶David S. Yost, "Soviet Aims in Europe", *Society*, vol. 24, no. 5, July/August 1987, p. 72.

¹⁶⁷Yost, p. 73.

6. Five Soviet negotiating techniques that decreased by 50% or greater during SALT I were: lies (5); no concessions (7); unreasonable demands (11); reversal (14); and political aspects primary (22).

7. There were six SALT I Soviet negotiating techniques that decreased to one time only usage: puppet negotiators (8); aloofness (9); tactic of the agenda (12); twisting technique (20); technical information void (23); and concession is no concession (24).

8. During SALT I, four Soviet negotiating techniques that were used both prior to and during the Limited Test Ban, were not used at all. Those techniques that did not appear at all were: the walk out threat (13); treasuring of grievances (15); increase demands (18); and full account (21).

B. SOVIET NEGOTIATING OBJECTIVES

For numerous reasons, the Soviets are interested in negotiating on arms control. One primary reason is to use arms control as a process to impose limits on United States defense expenditures and on specific force programs, in order to be able to know in advance where, and where not, to counter the United States by allocating limited Soviet defense monies.

Another reason the Soviets seek to negotiate arms control with us is to achieve constraints on new United States military developments in order to forestall future competition which could be detrimental to the Soviet Union. The Soviets do not want the United States to come up with any qualitatively new and challenging threats. If we do, they seek to ban them. Interestingly, one of the most powerful United States negotiating leverage tools derives from this Soviet interest in a total ban of potentially dangerous American capability. Such leverage, however, may drop off rapidly if America is not prepared to accept a total ban. When the Soviets fail to close off an unpromising channel of competition with the United States through negotiation, they recognize that their comparative advantage is in quantity, not quality. In consequence, they are likely to be relaxed about, or even opposed to, limits on the particular systems. For the Soviets the critical threshold may be zero.

Americans assume arms control negotiating is a process aimed at cooperation, undertaken in order to reach common goals. In this assumption, however, Americans may well be mistaken, for 'cooperative', does not seem to be in the Soviet vocabulary. Propaganda, semantic infiltration, and agreements in principle are a small sampling of Soviet tactics, all of which further Soviet goals. During negotiations, Soviet goals consist of taking all they can get while giving as little as possible in return. Such a

system is not readily compatible with the American approach to negotiating. At times, however, concessions are made, concessions that are reached mainly when the Soviets realize that they might be in a losing situation anyway. The Soviet negotiating style is consistently self-serving. In studying the Limited Test Ban Treaty and SALT I negotiations and their outcome, it is clear that the negotiating tactics employed by the Soviets, were, for the most part, employed successfully.

Contrary to a popular belief that arms control will solve the differences between the United States and the Soviet Union, differences that contribute to the arms race, the *process* of arms control should not be viewed as an ultimate goal. In and of themselves, negotiations on arms control will not bring about a lasting or worldwide relaxation of Soviet ambitions.

Agreeing to a treaty and actually honoring that treaty are two very different things. So far as successful negotiating is concerned, one cannot necessarily measure it by what is ultimately agreed upon on paper. Success should also consider the actual *outcome*, what takes place when the ink is dry, when the negotiators pack their bags and return home. The nations making an agreement are expecting each other to live up to the agreement. Like the chain that is only as strong as its weakest link, so is a treaty only as good as those who uphold it. The Soviet Union must bear the responsibility for the weakest link, consisting of broken promises.

C. AREAS FOR FURTHER RESEARCH

The analysis in this thesis indicates that further research of Soviet negotiating behavior is warranted. In order to determine additional Soviet negotiating trends the methodology used in this thesis on Western negotiating experiences with the Soviets through SALT I may be applied to subsequent negotiating encounters.

Additional study should also uncover patterns of instances when the United States effectively countered Soviet negotiating techniques. These patterns, in combination with results from the research of possible means of recognizing Soviet negotiating techniques at the time of use, may result in an enhanced United States ability to develop Specific counter-techniques. Further research in these areas would be needed before policy prescriptions can be made for United States arms control planning.

APPENDIX A

ADDITIONAL SOVIET NEGOTIATING TECHNIQUES

There are five other Soviet negotiating techniques that are not addressed separately in this thesis. Two of these additional techniques are covered in Chapter II: semantic infiltration and linkage. Semantic infiltration is discussed in a footnote to technique no. 5, lies, and linkage is included as an element of technique no. 11, unreasonable demands. Three more techniques are examined at the beginning of the techniques section of Chapter IV: back channel negotiating, eleventh hour negotiating, and cherry picking. These five techniques are added to the twenty-seven covered in Chapter II.

- | | |
|-------------------------------|---------------------------------|
| 1. Rudeness | 17. Bazaar Technique |
| 2. Propaganda | 18. Increase Demands |
| 3. Adversarial Attitude | 19. Waiving Gambit |
| 4. Stubbornness | 20. Twisting Technique |
| 5. Lies | 21. Full Account |
| 6. Divide The Opposition | 22. Political Aspects Primary |
| 7. No Concessions | 23. Technical Information Void |
| 8. Puppet Negotiators | 24. Concession Is No Concession |
| 9. Aloofness | 25. Action |
| 10. Agreement In Principle | 26. Quote Western Sources |
| 11. Unreasonable Demands | 27. One Stumbling Block |
| 12. Tactic Of The Agenda | 28. Semantic Infiltration |
| 13. Walk Out Threat | 29. Linkage |
| 14. Reversal | 30. Back Channel |
| 15. Treasuring Of Grievances | 31. Eleventh Hour |
| 16. Concession To Enter Talks | 32. Cherry Picking |

APPENDIX B

TREATY BANNING NUCLEAR WEAPONS TESTS IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER

Signed at Moscow August 5, 1963

Ratification advised by U.S. Senate September 24, 1963

Ratified by U.S. President October 7, 1963

U.S. ratification deposited at Washington, London, and Moscow October 10, 1963

Proclaimed by U.S. President October 10, 1963

Entered into force October 10, 1963

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, hereinafter referred to as the "Original Parties,"

Proclaiming as their principle aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances,

Have agreed as follows:

Article I

1. Each of the Parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion, at any place under its jurisdiction or control:

(a) in the atmosphere; beyond its limits, including outer space; or under water, including territorial waters or high seas; or

(b) in any other environment if such explosion cause radioactive debris to be present outside the territorial limits of the State under whose jurisdiction or control such explosion is conducted. It is understood in this connection that the provisions of this subparagraph are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusion of which, as the Parties have stated in the Preamble to this Treaty, they seek to achieve.

2. Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or to have the effect referred to, in paragraph 1 of this Article.

Article II

1. Any party may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depository Governments which shall circulate it to all Parties to this Treaty. Thereafter, if requested to do so by one-third or more of the Parties, the Depository shall convene a conference, to which they shall invite all the Parties, to consider such amendment.

2. Any amendments to this Treaty must be approved by a majority of the votes of all Parties to this Treaty, including the votes of all the Original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all the Original Parties.

Article III

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be the subject of ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the Original Parties - the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics - which are hereby designated the Depository Governments.

3. This Treaty shall enter into force after its ratification by all the Original Parties and the deposit of their instruments of ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depository Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification to this Treaty, the date of its entry into force, and the date of receipt of any requests for conferences or other notices.

6. This Treaty shall be registered by the Depository Governments pursuant to Article 102 of the Charter of the United Nations.

Article IV

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty three months in advance.

Article V

This Treaty, of which the English and Russian texts are equally authentic, shall be deposited in the archives of the Depository Governments. Duly certified copies of this Treaty shall be transmitted by the Depository Governments to the Governments of the Signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate at the city of Moscow the fifth day of August, one thousand nine hundred and sixty-three.

For the Government of the United States of America

DEAN RUSK

For the Government of the United Kingdom of Great Britain and Northern Ireland

HOME

For the Government of the Union of Soviet Socialist Republics

A. GROMYKO

APPENDIX C

TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON THE LIMITATION OF ANTI-BALLISTIC MISSILE SYSTEMS

Signed at Moscow May 26, 1972
Ratification advised by U.S. Senate August 3, 1972
Ratified by U.S. President September 30, 1972
Proclaimed by U.S. President October 3, 1972
Instruments of ratification exchanged October 3, 1972
Entered into force October 3, 1972

The United States of America and the Union of Soviet Socialist Republics,
hereinafter referred to as the Parties,

Proceeding from the premise that nuclear war would have devastating
consequences for all mankind,

Considering that effective measures to limit anti-ballistic missile systems would be
a substantial factor in curbing the arms race in strategic offensive arms and would lead
to a decrease in the risk of outbreak of war involving nuclear weapons,

Proceeding from the premise that the limitation of anti-ballistic missile systems,
as well as certain agreed measures with respect to the limitation of strategic offensive
arms, would contribute to the creation of more favorable conditions for further
negotiations on limiting strategic arms,

Mindful of their obligations under Article VI of the Treaty on the Non-
Proliferation of nuclear weapons,

Declaring their intention to achieve at the earliest possible date the cessation of
the nuclear arms race and to take effective measures toward reductions in strategic
arms, nuclear disarmament, and general and complete disarmament,

Desiring to contribute to the relaxation of international tension and the
strengthening of trust between States,

Have agreed as follows:

Article I

1. Each Party undertakes to limit anti-ballistic missile (ABM) systems and to
adopt other measures in accordance with the provisions of this Treaty.

2. Each Party undertakes not to deploy ABM systems for a defense of the
territory of its country and not to provide a base for such defense, and not to deploy

ABM systems for defense of an individual region except as provided for in Article III of this Treaty.

Article II

For the Purpose of this Treaty an ABM system is a system to counter strategic ballistic missiles or their elements in flight trajectory, currently consisting of:

(a) ABM interceptor missiles, which are interceptor missiles constructed and deployed for an ABM role, or of a type tested in an ABM mode;

(b) ABM launchers, which are launchers constructed and deployed for launching ABM interceptor missiles; and

(c) ABM radars, which are radars constructed and deployed for an ABM role, or of a type tested in an ABM mode.

2. The ABM system components listed in paragraph 1 of this Article include those which are:

(a) operational;

(b) under construction;

(c) undergoing testing;

(d) undergoing overhaul, repair or conversion; or

(e) mothballed.

Article III

Each Party undertakes not to deploy ABM systems or their components except that:

(a) within one ABM system deployment area having a radius of one hundred and fifty kilometers and centered on the Party's national capital, a party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, and (2) ABM radars within no more than six ABM radar complexes, the area of each complex being circular and having a diameter of no more than three kilometers; and

(b) within one ABM system deployment area having a radius on one hundred and fifty kilometers and containing ICBM silo launchers, a Party may deploy: (1) no more than one hundred ABM launchers and no more than one hundred ABM interceptor missiles at launch sites, (2) two large phased-array ABM radars comparable in potential to corresponding ABM radars operational or under construction on the date of signature of the Treaty in an ABM system deployment area containing ICBM silo launchers, and (3) no more than eighteen ABM radars each having a potential less

than the potential of the smaller of the above-mentioned two large phased-array ABM radars.

Article IV

The limitations provided for in Article III shall not apply to ABM systems or their components used for development or testing, and located within current or additionally agreed test ranges. Each Party may have no more than a total of fifteen ABM launchers at test ranges.

Article V

1. Each Party undertakes not to develop, test, or deploy ABM systems or components which are sea-based, air-based, space-based, or mobile land-based.

2. Each Party undertakes not to develop, test, or deploy ABM launchers for launching more than one ABM interceptor missile at a time from each launcher, not to modify deployed launchers to provide them with such a capability, not to develop, test, or deploy automatic or semi-automatic or other similar systems for rapid reload of ABM launchers.

Article VI

To enhance assurance of the effectiveness of the limitations on ABM systems and their components provided by the Treaty, each Party undertakes:

(a) not to give missiles, launchers, or radars, other than ABM interceptor missiles, ABM launchers, or ABM radars, capabilities to counter strategic ballistic missiles or their elements in flight trajectory, and not to test them in an ABM mode; and

(b) not to deploy in the future radars for early warning of strategic ballistic missile attack except at locations along the periphery of its national territory and oriented outward.

Article VII

Subject to the provisions of this Treaty, modernization and replacement of ABM systems or their components may be carried out.

Article VIII

ABM systems or their components in excess of the numbers or outside the areas specified in this Treaty, as well as ABM systems or their components prohibited by this Treaty, shall be destroyed or dismantled under agreed procedures within the shortest possible agreed period of time.

Article IX

To assure the viability and effectiveness of this Treaty, each Party undertakes not to transfer to other States, and not to deploy outside its national territory, ABM systems or their components limited by this Treaty.

Article X

Each Party undertakes not to assume any international obligations which would conflict with this Treaty.

Article XI

The Parties undertake to continue active negotiations for limitations on strategic offensive arms.

Article XII

1. For the purpose of providing assurance of compliance with the provisions of this Treaty, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party in accordance with paragraph 1 of this Article.

3. Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this Treaty. This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices.

Article XIII

1. To promote the objectives and implementation of the provisions of this Treaty, the Parties shall establish promptly a Standing Consultative Commission, within the framework of which they will:

(a) consider questions concerning compliance with the obligations assumed and related situations which may be considered ambiguous;

(b) provide on a voluntary basis such information as either Party considers necessary to assure confidence in compliance with the obligations assumed;

(c) consider questions involving unintended interference with national technical means of verification;

(d) consider possible changes in the strategic situation which have bearing on the provisions of the Treaty;

(e) agree upon procedures and dates for destruction or dismantling of ABM systems or their components in cases provided for by the provisions of this Treaty;

(f) consider, as appropriate, possible proposals for further increasing the viability of this Treaty; including proposals for amendments in accordance with the provisions of this Treaty;

(g) consider, as appropriate, proposals for further measures aimed at limiting strategic arms.

2. The Parties through consultation shall establish, and may amend as appropriate, Regulations for the Standing Consultative Commission governing procedures, composition and other relevant matters.

Article XIV

1. Each Party may propose amendments to this Treaty. Agreed amendments shall enter into force in accordance with the procedures governing the entry into force of this Treaty.

Five years after entry into force of this Treaty, and at five-year intervals thereafter, the Parties shall together conduct a review of this Treaty.

Article XV

1. This Treaty shall be of unlimited duration.

2. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from the Treaty. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.

Article XVI

1. This Treaty shall be subject to ratification in accordance with the constitutional procedures of each Party. The Treaty shall enter into force on the day of the exchange of instruments of ratification.

2. This Treaty shall be registered pursuant to Article 102 of the Charter of the United Nations.

DONE at Moscow on May 26, 1972, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA,

RICHARD NIXON, President of the United States of America

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS,

L.I. BREZHNEV, General Secretary of the Central Committee of the CPSU

APPENDIX D

INTERIM AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET SOCIALIST REPUBLICS ON CERTAIN MEASURES WITH RESPECT TO THE LIMITATION OF STRATEGIC OFFENSIVE ARMS

Signed at Moscow May 26, 1972
Approval authorized by U.S. Congress September 30, 1972
Approved by U.S. President September 30, 1972
Notices of acceptance exchanged October 3, 1972
Entered into force October 3, 1972

The United States of America and the Union of Soviet Socialist Republics, hereinafter referred to as the Parties,

Convinced that the Treaty on the Limitation of Anti-Ballistic Missile Systems and this Interim Agreement on Certain Measures with Respect to the Limitation of Strategic Offensive arms will contribute to the creation of more favorable conditions for active negotiations on limiting strategic arms as well as to the relaxation of international tension and the strengthening of trust between States,

Taking into account the relationship between strategic offensive and defensive arms,

Mindful of their obligations under Article VI of the Treaty on the Non-Proliferation of nuclear weapons,

Have agreed as follows:

Article I

The Parties undertake not to start construction of additional fixed land-based intercontinental ballistic (ICBM) launchers after July 1, 1972.

Article II

The Parties undertake not to convert Land-based launchers for light ICBMs, or for ICBMs of older types deployed prior to 1964, into land-based launchers for heavy ICBMs of types deployed after that time.

Article III

The Parties undertake to limit submarine-launched ballistic missile (SLBM) launchers and modern ballistic missile submarines to the numbers operational and under construction on the date of signature of this Interim Agreement, and in addition to launchers and submarines constructed under procedures established by the Parties as

replacements for an equal number of ICBM launchers of order types deployed prior to 1964 or for launchers on older submarines.

Article IV

Subject to the provisions of this Interim Agreement, modernization and replacement of strategic offensive ballistic missile launchers covered by this Interim Agreement may be undertaken.

Article V

1. For the purpose of providing assurance of compliance with the provisions of this Interim Agreement, each Party shall use national technical means of verification at its disposal in a manner consistent with generally recognized principles of international law.

2. Each Party undertakes not to interfere with the national technical means of verification of the other Party operating in accordance with paragraph 1 of this Article.

3. Each Party undertakes not to use deliberate concealment measures which impede verification by national technical means of compliance with the provisions of this Interim Agreement. This obligation shall not require changes in current construction, assembly, conversion, or overhaul practices.

Article VI

To promote the objectives and implementation of the provisions of this Interim Agreement, the Parties shall use the Standing Consultative Commission established under Article XIII of the Treaty on the Limitation of Anti-Ballistic Missile Systems in accordance with the provisions of that Article.

Article VII

The Parties undertake to continue active negotiations for limitations on strategic offensive arms. The obligations provided for in this Interim Agreement shall not prejudice the scope or terms of the limitations on strategic offensive arms which may be worked out in the course of further negotiations.

Article VIII

1. This Interim Agreement shall enter into force upon exchange of written notices of acceptance by each Party, which exchange shall take place simultaneously with the exchange of instruments of ratification of the Treaty on the Limitation of Anti-Ballistic Missile Systems.

2. This Interim Agreement shall remain in force for a period of five years unless replaced earlier by an agreement on more complete measures limiting strategic

offensive arms. It is the objective of the Parties to conduct active follow-on negotiations with the aim of concluding such an agreement as soon as possible.

3. Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Interim Agreement if it decides that extraordinary events related to the subject matter of this Interim Agreement have jeopardized its supreme interests. It shall give notice of its decision to the other Party six months prior to withdrawal from this Interim Agreement. Such notice shall include a statement of the extraordinary events the notifying Party regards as having jeopardized its supreme interests.

DONE at Moscow on May 26, 1972, in two copies, each in the English and Russian languages, both texts being equally authentic.

FOR THE UNITED STATES OF AMERICA,

RICHARD NIXON, President of the United States

FOR THE UNION OF SOVIET SOCIALIST REPUBLICS

L.I. BREZHNEV, General Secretary of the Central Committee of the CPSU

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